

Chapter 13 (1)

The Statute of Ṣan‘ā’

(Qānūn Ṣan‘ā’)

Introduction

The *Statute*¹ of Ṣan‘ā’, a collection of market regulations, is at present accessible to us in the form published by Qāḍī Ḥusayn b. Aḥmad al-Sayāghī,² and in his typescript summary³ containing two additional pieces made available to us by Qāḍī ‘Alī Abu ‘l-Rijāl, Deputy Minister of Works. The text⁴ which presents many difficulties was thoroughly studied in 1972 with Qāḍī Ismā‘il b. ‘Alī al-Akwa’, though a few unsolved problems of language and background remain, and al-Sayāghī’s useful notes and introduction have been drawn upon where relevant.

Two Ms. texts were used by al-Sayāghī, the first of which, Document A (Basic), bore the heading,

1. ‘This is the copy of the Regulation (*Qā‘idah*) laid down in the Statute (*Qānūn*) which my father, the Commander of the Faithful, al-Mutawakkil ‘ala Allāh al-Qāsim b. al-Ḥusayn (1128-39/1716-1726-7), Commander of the Faithful, al-Mahdī li-Dīn Allāh (God’s pleasure be upon them), laid down, this taking place during the governorship (*imālah*) of the faqīh Aḥmad b. Yaḥyā al-Khazindār⁵ over the city of Ṣan‘ā’ the protected (*al-mahmiyyah*) by Exalted God.’

The various sections of the Statute follow, the author concluding,

‘Now that this written ordained exemplar (*mithāl marsūm*)⁶ and Statute inscribed (*qānūn marqūm*) is laid down, let everyone bearing the name of the loftiest faith (*īmān*) and those whom Mahdī-an solicitude envelopes with regard for (his) well-being and security (*īmān*), set (it) as a guide-mark. The Commander of the Faithful, God bless him, has guided to that to which the

shar‘ (law) directs, and overwhelmed both great and small with all manner of benefits. So it is not lawful to anyone whosoever it be to whose ears has come the regulation of this Statute (*qā‘idah hādha ‘l-Qānūn*) to refrain for one moment, from acting in accordance with what it contains. The transcription (*zabr*) of this ordinance was concluded in preserved Ṣan‘ā’, the protected of Exalted God in the month of Dhu ‘l-Qa‘dah al-Ḥarām of the year 1161/October, 1748.’⁷ At the head of the copy, under the seal (*alāmah*) of the Imām al-Mahdī ‘Abdullāh b. al-Mutawakkil Aḥmad b. al-Manṣūr ‘Alī b. al-Mahdī b. al-Abbās (1231-51/1816-1835-6) appears an undated noted, ‘This Statute, established in the interests (*maṣāliḥ*) of the Muslims, is to be relied upon, and whatever the change in prices in the (present) age necessitates is to be set before our penetrating gaze, dated . . .’ This note then re-affirms the validity of the Statute but permits of appropriate modifications.

2. The second text, Document B, is that actually published by al-Sayāghī—which embodies the previous text of 1161/1748. It was laid down by order of the Imām al-Mahdī ‘Abdullāh mentioned in the immediately preceding paragraph, as the writer of it, the faqīh Muḥammad b. ‘Alī al-Ḥaymī⁸ recounts, the latter being commanded to include additional material (*ziyādāt*)⁹ upon which it was obligatory to act. This Qāḍī Muḥammad al-Ḥaymī was the governor (*‘amil*) of Ṣan‘ā’ in the time of the Imām al-Mahdī ‘Abdullāh. He tells us,

‘The transcription of it (the basic document no. 1), taken from the text of the Statute (*Qānūn*) which the respected governor

1 *Qānūn* can, by extension, mean *majbā*, a duty, customs tax. Al-Jarmūzī, *Ṣirah*, 300, alludes to a *majbā* called *qānūn* taken by governors in the Yemen Tihāmah on those using the roads, and (257) to a *qānūn* paid on wine to the Ḥaḍramī sultan when sold at al-Shūhr. Muḥahhar b. Muḥ. al-Jarmūzī in a Ms. copy of *al-Jawharah al-munirah . . . fi akhbār . . . al-Manṣūr al-Qāsim*—this Imām (flor. 1054-87/1644-76), took over the administration of the Mocha suq, and, finding tyranny (*jawr*) there, remitted three quarters of each *qānūn*.

2 ‘Qānūn Ṣan‘ā’’, *Majallat al-makḥṣūṭāt*, Cairo, 1964, 273-307.

3 *Qānūn Ṣan‘ā’ li-awḡā‘i-hā fi ‘l-qarn al-thālith ‘ashar*.

4 The text contains a number of printer’s slips owing to hurried publication, but the editing is often insufficient to clarify the text, and the introduction by al-Sayāghī, though containing valuable data, is confused in presentation.

5 Khazindār means *amin al-ḡundūq*, treasurer. Of this official *Nashr al-‘arf*, I, 300, tells us that he was descended from Turks who remained in the Yemen after the end of the first Ottoman occupation, but *al-Khazraji*, text, I, 328, *passim*, mentions a family of this name prior to the Ottomans, and cf. Hikoichi Yajima, *Chronicle*, 126, 144, *passim*. ‘The city of Ṣan‘ā’ was taken

over by him (as governor) and he acted well in it. He fixed its weights and measures (*mawāzin*) and whatever embellishes it. He managed its affairs and finances (*aḥwāl-hā wa-amwāl-hā*), put down evil-doers in it, and took vigorous measures to deal with and punish a group of the Government slaves (*‘abid al-dawlah*) and irresponsibles (*sufahā*) so that he withheld their hands from the unarmed (*qu‘afā*) and poor folk of the city.’ He appears to have been governor of Ṣan‘ā’ from 1132-46/1719-20—1733-4. *Nashr al-‘arf*, II, 422, says he was imprisoned for a short time by al-Mahdī. *Masājid Ṣan‘ā’*, 53, mentions a house of the faqīh Aḥmad Khazindār near Masjid al-Zubayr, perhaps an ancestor.

6 *Marsūm* also means a diploma.

7 Al-Sayāghī states that this is a rendering of the original ‘a little free’.

8 Al-Sayāghī quotes a descendant of al-Ḥaymī as stating that the latter was an intelligent man, a good faqīh, and that he took over the governorship of Ṣan‘ā’ in the time of al-Mahdī ‘Abdullāh. It looks as if it was a descendant of his, Muḥ. b. Muḥ. b. Aḥmad, who was later a governor of Ṣan‘ā’. Cf. Zabārah, *A‘immat al-Yaman*, (2), I, 35.

9 Indicated by the word (Supplementary) in the translation below.

(*ḥākim*), the very learned, the celebrated 'Imād al-Dīn Yahyā b. Ṣāliḥ al-Ṣaḥūlī,¹⁰ God rest him, confirmed and put into execution is terminated. Upon it is the noble seal (*al-'alāmat al-sharīfah*), the seal of our Lord the majestic Imām, the Commander of the Faithful, al-Mahdī li-Dīn Allāh Lord of the Worlds, al-'Abbās, son of the Commander of the Faithful al-Husayn b. al-Mutawakkil 'ala Allāh (reigned 1163-89/1750-75), God's pleasure be upon them all. Dated Dhu 'l-Qa'dah al-Ḥarām 1161/1748.' Al-Ḥaymī continues, 'This is the *Supplement* (*al-Ziyādah*) that requires setting down so as to seek out the benefits of it—if Exalted God will.'

Al-Ḥaymī then re-iterates each item of the basic document no. 1—to which he appends the particular *Supplement* appropriate to it, adding in conclusion,

'The written/ordained exemplar (*mithāl marsūm*) and the Statute inscribed (*qānūn marqūm*) on the authority of the Commander of the Faithful and Lord of the Muslims, may God preserve him, Amen, is concluded. To act in accordance with it is obligatory, as is to reprove anyone who disobeys its sound dictates (*al-qawīm min katbi-hi*). We beseech God to guide us on ways of uprightness and to teach us happiness, uprightness and the right course, and to make us guides truly guided, neither straying nor leading astray. By the right of Muḥammad al-Amin¹¹ (the Trust-worthy) and his Pure Family, God bless him and his Family, all, and his rightly guided Companions, and deliver them a good and blessed delivery up to the Day of Judgement. Penned in the month of Jumād (*sic*) I, year 1234 H./February-March, 1819 by the meanest of God's servants and the one of them most in need of His mercy, Muḥammad b. 'Alī al-Ḥaymī, may God pardon him, his parents and all Muslim men and women, Amen, O God, Amen.'

Historical Antecedents to the Statute of Ṣan'ā'

It can hardly be doubted that the *Qānūn Ṣan'ā'* had antecedents remounting to quite early Islamic times, perhaps even to the pre-Islamic age.¹² For the Islamic period however no actual document embodying the ordinances for the markets of Ṣan'ā' is, as yet, known to have existed prior to the expulsion of the Ottoman Turks from it in 1629-30 A.D. Nevertheless the legal opinions¹³ of the first Zaydī Imām al-Ḥādī (248-98/898-911) where market-law is in question are in general correspondence with the *Qānūn Ṣan'ā'*, though they must have been delivered mainly in Ṣa'dah as his stay in Ṣan'ā' was brief. His ordering of the market of Ṣa'dah as reported in the *Sirah* is specially insistent on price-fixing—a subject with which the present *Qānūn* is so closely concerned.

The principle that it is prohibited that goods on the way to market be intercepted, to the advantage of the person intercepting them, has persisted from the pre-Islamic age of the Timna' market, is embodied in the *ḥisbah* manuals, and persists today in Ṣan'ā' and other south Arabian towns. It is embodied in *Qānūn Ṣan'ā'* in appropriate cases such as the purchase of coffee-husk, oil and ghee (section 10) and firewood (section 21). From the latter case, the prohibition that individuals should buy timber and

the restriction of purchasing it to the two depots (p.253a), is a simple extension, if in fact it is not merely the re-affirmation of an already existing regulation. Indeed this is probable since the principle of price-fixing of raw timber in the *Qānūn* (section 31 a) is repeated in the modern document.

The Preamble to the *Qānūn Ṣan'ā'* alludes to a *Qānūn* of al-Mutawakkil . . . Ismā'il b. al-Qāsim (regned 1054-87/1644-5 to 1676-7). Of this Imām the historian al-Jarmūzī¹⁴ tells us, 'In his *maqām* (residence) he investigated the Statute (*Qānūn*) of the city and altered (certain) matters of which he disapproved. He acquainted himself minutely with the reprehensible things (*al-munkarāt*) until scarcely anything was hidden from him. He established the statutory punishments (*ḥudūd*) and the *ta'zīrāt* (punishments decided by a judge), demolishing dwellings which belonged to harlots (*baghiyyāt*) and probing deeply into the dues (*wājibāt*).'¹⁵ This *Qānūn* appears to have been a written document—to judge by the contexts at least—but if it still is extant I have seen no copy. However, in 1066/1655-6 the Commercial Statute (*Qānūn al-Bay' wa-'l-Shirā'*)¹⁶ of Ṣan'ā' is invoked against the Hindu Bāniyāns who had been putting up prices, so it presumably contained provisions on price-fixing as indeed the Preamble avers.

Al-Mutawakkil seems to have been the first Zaydī Imām to control Ṣan'ā' after the departure of the Ottoman Turks. It can hardly be doubted that the strictly Sunnī Turkish governors, especially such as Sinān who concerned himself closely with the *waqfs* of Ṣan'ā', paid attention to the administration of the Markets, though at present no information is available as to whether they made any alteration to the tradition of Market custom, either to bring it into line with Ḥanafī practice or for some other reason. The Turks probably tolerated brothels in Ṣan'ā' as one may deduce from al-Mutawakkil's reforms, for the use of Turkish troops in the garrison, whereas the Zaydī Imāms and quite likely even popular feeling in Ṣan'ā' would be averse to this. Profligacy and wine-drinking¹⁷ do not, however, come within the scope of the *Qānūn* of Ṣan'ā', but would be dealt with under the *sharī'ah* in the ordinary way. A Statute or *Qānūn* of Ṣan'ā' was clearly in existence before al-Mutawakkil's reforms and with fair certainty it may be assumed to have been a written document.

List of Market Statutes (*Qānūn*) Known to Yemeni History

1. The pre-Mutawakkil *Qānūn*, probably the customary law of the Markets observed during Ottoman occupation and perhaps even before that.
2. *Qānūn al-Mutawakkil*, issued before 1066/1655.
3. Document A (Basic), compiled between 1128-39/1716 to 1726-7, and copied in 1161/1748. It was confirmed by 'Abdullāh b. al-Mutawakkil (1231-51/1815-6 to 1835-6), at an unspecified date.
4. Document B, consisting of A (Basic) plus the Supplement. This was compiled by order of 'Abdullāh b. al-Mutawakkil (1231-51/1815-6 to 1835-6) and contains;
 - I. Al-Ṣaḥūlī's copy of an original document A (Basic) dated 1161/1748.

it contains regulations against intercepting grain coming in from the countryside. See p. 164b seq.

¹³ *Sirah*, 386, and in 'Abd al-Khalīq Kāzī, *Critical Edition of the Kitāb al-Muntakhab fi'l-Fiqh*—a collection of answers of the Zaidī Imām Yahyā b. al-Husayn to questions by Abū Ja'far Muḥammad b. Sulaimān al-Kūfī. Thesis in the Library of the S.O.A.S.

¹⁴ *Al-Sirāt al-Mutawakkiliyyah*, 270.

¹⁵ By *wājibāt* the Islamic taxes are usually meant.

¹⁶ Cf. p. 433.

¹⁷ *Ghayat al-amānī*, II, 817, states that in 1031/1621-2 A.D., the new Turkish governor prevented the people of the Dhimmah, the Jews, from selling wine, and punished a number of persons for drinking it; two years later he had wine in Dhimmī houses poured away and executed a Dhimmī who had sold wine after his prohibition of selling it. In 1034/1624-5, a new Pasha, Ḥaydar, not only drank wine himself, but it was openly sold in the markets as if the *Qur'ān* had never prohibited it.

¹⁰ His biography is given by Zabārah, *Nayl al-waḥāḥ*, II, 384, no. 525, where he is described as *qādī 'l-quḍāh* and *wazīr* (1134-1209/1721-1794-5), a legist and administrator who seems to have been expert in *qawā'id al-amwāl*, probably on the management of state properties. Al-Shawkānī, *al-Badr al-tālī*, II, 333, calls him the *marja'*, ultimate legal authority for all *qāḍīs* of the Yemen; he had a comprehensive knowledge of all customary law matters (*al-umūr al-'urfīyyah*), accompanied by great sagacity. In his time he was Shaykh al-Islām. *Nashr al-'arf*, II, 850, adds that his great grandfather Husayn (ob. 1073/1662-3) was *ḥākim* of Ṣan'ā' and his grandfather (ob. 1113/1701-2) was a settler/confirmor of the regulations (? *muqarrir li-'l-qawā'id*). It is he whose *raqm* and *marṣūm* are appended to the *Qānūn*, pp. 233-34.

¹¹ The epithet *Amin* may be used intentionally, though commonly given to the Prophet anyway, to reflect the term *umanā'* (sing. *amin*), 'honest men' much used in the Statute.

¹² Cf. A. F. L. Beeston, 'The mercantile code of Qatabān', *Qaṭān*, London, 1959. This inscription comes from Kuhlān-Timna' of the Wādī Bayḥān, and if it be accepted that the root *shyṭ* means to purchase grain, it looks as if

II. The Supplement (*Ziyādah*), dated 1234/1819.

It appears then possible to trace back documents of the law of the Markets of *Ṣan'ā'* to approximately the early 11th/17th Century.

The Style and Language of *Qānūn Ṣan'ā'*

The *Qānūn* is couched in written colloquial *Ṣan'ānī*, i.e. following the loose grammar of the spoken language and employing colloquial diction, yet also showing the strong influence of the literary language—so that it cannot be characterised as simply the spoken Arabic of the city. There is a large number of technical terms unknown to the lexicons, and the writers, familiar with the background, use short cuts to express what they want to say, much as in speech, giving little explanatory detail even of the briefest sort. (For example an adjective qualifying a defined noun is quite often separated from it by an intervening phrase.) For these reasons the *Qānūn*, at first sight, often seems cryptic, and, in translations, it is necessary to supply (within brackets) explanatory matter to complete and convey the full sense of the Arabic original. To enable the text to run with as much smoothness and clarity as can be achieved and preserve the feeling of the Arabic, other data have been relegated to the footnotes. The Supplementary passages (*al-Zawā'id*) differ a little in style from the basic *Qānūn*—perhaps one might even detect slight differences in style between parts of the basic *Qānūn* itself. Al-Sayāghī's text must be accepted as he has copied it, with, of course, the correction of the obvious misprints, but one occasionally suspects a corrupt phrase going beyond mere printer's errors. The punctuation, which has doubtless been inserted by the editor, is patently unreliable and frequently better ignored.

Al-Sayāghī's notes have been used though they are not always very enlightening, and he leaves a number of problematical terms without comment. Some of the vocabulary may be unknown to *Ṣan'ānīs* themselves today—for example I have not as yet found a *Ṣan'ānī* who knew the farriery terms of the *Qānūn*, though tethering rings for horses, mules and donkeys can be seen fixed to many house-walls in the old town.

In contrast to the *Qānūn*, the Preamble by the scholarly Qāḍī al-Ḥaymī is in formal ornate prose, rather pompous, employing rhyme (*saǰ'*) and some technical legal terms—a rather wearisome style out of which the sense has to be teased.

The Translation

The printed Arabic text indicates each place where additions to Document A (Basic) commence—in the translation these are introduced by the word *Supplementary*. It has had to be assumed that the end of a *Supplementary* paragraph actually terminates the addition—and that a next following paragraph not so marked, resumes Document A (Basic). Yet the translator has had doubts whether, in certain places, this is in fact so.

Clauses of Document A (Basic) are given Roman numerals. *Supplementary* sections have their clauses indicated by letters of the alphabet. None of these numerals appear in the Arabic text which has been arranged arbitrarily into clauses in the English translation. South Arabian documents of this sort do not normally separate their contents into a series of clauses.

Each main section has, for convenience, been numbered in the translation, and one sub-title (no. 38) has been added to those supplied by al-Sayāghī's text. Al-Sayāghī states that he has added some sub-titles within brackets, but a scrutiny of the printed Arabic text indicates that many bracketed sub-titles can only be part of the original Ms. If not then these sections would have no application—e.g., nos. 39 and 40 have bracketed sub-titles referring to the Jews of 'Aqīl and the Hindu Bāniyāns but these are essential to the sections. As the employment of brackets is

inconsistent the translation ignores their existence. Words bracketed in the body of the text have been similarly treated.

The translation attempts—as far as possible—to indicate by brackets such words and phrases it is essential to introduce in order to convey the full meaning of the Arabic text. I have attempted to give, if feasible, a uniform English equivalent. Terms equivocal in sense, or technical, are frequently inserted after the English rendering in transliterated Arabic to ensure greater precision.

The numerals following the headings of the various sections refer to the pages of the printed Arabic text.

Analysis of the Sections of the *Qānūn* by Documents

A (Basic)—early 12th/18th century

1, 2, 3, 4, 5, 7, 8, 9, 10, 14, 18, 19, 20, 21, 25, 26, 28, 29, 30, 31, 32, 36, 37, 38, 42, 43, 44, 45, 49, 50.

B (Supplement)—early 13th/19th century

1, 4, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 33, 34, 35, 39, 40, 41, 45, 46, 47, 48.

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The Statute of Ṣan'ā' (Qānūn Ṣan'ā')

Preamble

In the name of God the Merciful the Compassionate

Praise to God who, in his Noble Book, revealed, 'O those who have believed, do not consume your properties among yourselves unprofitably, but let there be trading between you by mutual consent.' (*Qur'ān*, IV, 29).

But—how far things are from that!

Where does the connection lie between this (verse) and such as he who, if what he has in his hand shows itself to him to be in demand, makes much¹⁸ of it, schemes¹⁹ to cheat the would-be buyer, exaggerating and coercing? Where, too, does the connection lie between (this verse) and him who, when brought some article for sale, looks it over, then frowns, and, if he does chaffer for it, belittles it and does it out of a fair price?²⁰ Blessings and peace upon Muḥammad the Trustworthy,²¹ benevolent to the Believers, and upon his Blessed Family and rightly guided Companions!

Now—when the self-interested had mounted to the heights of greed, turning from application and lending an ear to religious law, to plunge for profits into commerce,²² regardless of the (stormy) billows of those seas, refusing to seek the light but staying ever in the dark shades of inflating (prices), be it by false assertions even, forsaking the (considered) views of eminent ulema, abandoning the dicta of the thinkers of the community of Islam, all but perishing in the dark deserts of death while shunning the lamps (that would light them) on those ways—then shone forth the Sun of honourable Approval and the Moon of elevated and lofty Opinion came to its full—to wit) the Approval²³ of our Master the Commander of the Faithful, and the Opinion²⁴ of our Ruler the Lord of the Muslims, al-Mahdī li-Dīn Allāh²⁵ (Lord of the Universe), may God support him with victory and empower him

(over his foes), making the Law (*Sharī'ah*) of his Ancestor, Lord of the Apostles, flourish through his prowess. Thus, through this brilliance (from his Sun) were enlightened those places where the interests of (God's) servants lie, and the benefits to both townsman (*ḥāḍir*) and countryman (*bād-in*) attained their fullness.

I considered God's words, 'And it is not for a believing man or a believing woman, when God and His Apostle have decided a matter, that they should have a choice in their matter, and whosoever disobeys God and His Apostle is in manifest error.' (*Qur'ān* XXXIII, 36). Then I hastened to re-consult²⁶ the Imāmic Statute (*Qānūn*)—insofar as my comprehension could guide me to this—namely the Statute established through the Approval²⁷ of our Master, the Commander of the Faithful, al-Mutawakkil 'ala Allāh Lord of the Universe, al-Qāsim b. al-Husayn²⁸ God rest him, embodying (his declaration on) price-fixing (*tas'ir*), except on the two foodstuffs (*al-qūtān*), deriving its support from the statute (*Qānūn*) of al-Mutawakkil 'ala Allāh Ismā'il,²⁹ God rest him, approved by the *mujtahids*, generation after generation.

I considered (this) and the last light of the proof (*dalīl*) appeared to me, and it constituted, along with those affairs/commands, an established basis—namely what has been substantiated in the two Ṣaḥīḥs³⁰ concerning the evaluation (*taqwīm*) of a slave at the price of another like him, neither more nor less.³¹ With my pen I wrote down what I found comprehensible following that pattern, and what I opined when its (the pattern's) traces had vanished, as also that of which the general and particular had become obscure to the reader, such as what is expressed in it (the *Qānūn*) by the *kabīr*,³² the *kabīrayn*, the *ḥarf*, and the *ḥarfayn*, connected with that Mutawakkilite coinage and the statutes of that by-gone community—the change for the French *qirsh*³² being two *ḥarfs*. Herein I follow a path which the people of the present age understand, the change for the *qirsh* being eighty *buqshahs* in these times (of ours). At the end of it I have added what he overlooked though requiring explanation.

I then said, 'In God lies success. He it is of whom help is sought. How far he is from any imperfection, Exalted, Majestic in power.'

Text

1. The Cloth Market (Sūq al-Bazz) 282

i. Merchandise consisting of cloth arriving from Mocha (al-Mukhā) and other ports (*banādīr*)³³—(what costs) ten shall (be sold) at eleven and a half. Whatever the purchaser (i.e. local merchant) buys in Ṣan'ā'—of that which he buys by the score (*kawrajah*) ten (shall be sold at) eleven—of that which he buys by the bolt (*ḡaqah*) ten (shall be sold at) eleven—and of that which he buys by the cubit (*dhīrā'*) ten (shall be sold at) eleven.

18 Reading *tazayyan* for *tazabbān*, but the latter is possible, in the sense of to treat somebody as liable to be defrauded.

19 Paraphrased as *khaṭṭaṭa khaṭṭat taḡhrir*.

20 *Wakḥasa wa-bukḥasa*, a cliché. Al-Sayāghī explains *bakḥasa* as *bakḥasa-hu ḥaḡga-hu*, he wronged him (of what was due). Both words are said to mean *naqs*. Cf. *Wakḥasa/awḥasa 'l-tājir fī uḡrat-hi*, the merchant failed in his trading. The verbal noun is *wakḥa*.

21 Cf. n. 10.

22 A more appropriate reading here might be *al-abḥār* for *al-ittijār*—'to plunge into the seas'.

23 Arabic *tarjīḥ*, lit. to approve after examination (Dozy). Every Imām has his choice of the particular view to make on a given issue. Cf. Qāḍī 'Abdullāh b. 'Abd al-Wahhāb al-Shamāhī, *Sīrat al-'arīfīn ilā idrāk ikhtiyārāt Amir al-Mu'minin*, Maḡba'at al-Ma'arīf al-Jalīlah, Ṣan'ā', 1356 H., 3-4. Zabārah, *A'immat al-Yaman*, I, 7-8, speaks of the *tarjīḥāt* of al-Hādī, the first Imām of the Yemen, whose books and school spread about in al-Jīl and al-Daylam as well as the Yemen itself. An example of his *tarjīḥāt* is given concerning *Qur'ān*, IX, 29, 'O, those who have believed, the Polytheists are unclean (*najās-un*)...' On the authority of al-Ḥasan—whosoever shakes hands (*ṣafāḥ*) with a Polytheist must perform the ritual ablution (*wuḍū'*)—this is also the tenet of al-Hādī and the Imāms of the Zaydiyyah. Another example of his *tarjīḥāt* was his initiative in making witnesses swear in a legal judgement that he gave. *Rajjaḥa 'l-Imām fī 'l-qāḍiyyah al-fulāniyyah* means *ra'a kadḥa wa-kadḥa*.

24 The technical term *ra'y* is used.

25 I.e., al-Mahdī 'Abdullāh of the early 13th/19th century, who ordered the

Qānūn to be reissued as it is in Document B.

26 *Mu'awadah*, i.e. *murāja'ah*.

27 *Tarjīḥ*, cf. f.n. 23.

28 I.e., the Imām who laid down the *Qānūn* in the first part of the 12th/18th century.

29 I.e., Ismā'il b. al-Qāsim, 1054-87/1644-1676-7.

30 Muslim, *Ṣaḥīḥ*, Būlāq, 1290, I, 440 (*al-'itq*) quotes Traditions that the Prophet declared that whoever frees a part/share belonging to him in a slave, his (the slave's) redemption shall come from his property/money if he has any. If he has no property then the slave is valued at the price of the like (of him) (*quwwima 'alayhi 'l-'abd qimat al-'idl*). Cf. Bukhārī, *Ṣaḥīḥ*, edit. L. Krehl, Leiden, 1862-1908, II, III, (*al-shirkah*), (*passim*).

31 *Bi-lā waks wa-lā shaḡaṭ*, the last word meaning according to Ibn al-Athīr, *Nihāyah*, *jawr*, but Qāḍī Ismā'il gave it the sense of *al-mughālāḥ fī 'l-si'r*.

32 For these coins see p. 30ba, 309a, seq.

33 *Bandar*, port, is sometimes applied to the inland towns in the Yemen.

The provisions in this section imply the existence of some bill of lading or manifest from Mocha with the merchant importing the cloth to Ṣan'ā' on the basis of which the retail price was calculated. Bills of lading were in regular use in the 15th century and later (cf. *The Portuguese off the South Arabian Coast*, 34, 105, 173-4), and a *taḡdūr* was in use in Ṣan'ā' (p. 231b). Cloth imported to Ṣan'ā' is sold at a profit of 15% but locally purchased cloth only sells at a profit of 10%. In 1073/1662-3, according to *Ṭabaq al-ḥakwā*, 49, a very little cloth (*bazz*) was getting into Mocha because of the trouble (*fīnah*) the Franks had been making.

ii. Ḥaḍramī cloth³⁴—the profit on ten shall be eleven. Head-wraps (*nuqab*)³⁵—to dye these in Ṣan'ā' is prohibited unless they be displayed before the Shaykh of the Market, an honest (*amin*) man of integrity (*adl*), lest a man defraud by (dyeing) an old one (to look new).

iii. (In the case of) Zabīd cloth likewise, ten shall be (sold for) eleven. Hodeidah,³⁶ Yarīm, and Wuṣāb cloth (shall be dealt with) in the same way.

(Supplementary) 282

a. Cloth shall be sold by the (iron) *dhirā'*³⁷ only, stamped with the name of the Commander of the Faithful.

b. No one who is known for slowness³⁸ in payment, or who has gone bankrupt shall buy, but must³⁹ be suspended. If he does buy and the commission agent (*dallāl*)⁴⁰ displays⁴¹ some goods belonging to a stranger (*gharīb*) to him—as soon as the commission agent stands surety (*ḍamān*) for⁴² the goods of the stranger he must be punished⁴³ and severely reprimanded.

c. The people of the Cloth Market are required to provide the watch (*ḥirāsah*) when the town needs watchmen (*ḥurrās*), paying the customary⁴⁴ wage of the watch for which they are liable. They are required to provide part of the fleece-lined coats (*jurum*)⁴⁵ distributed⁴⁶ each year to the watch, under the supervision of the Shaykh of the Police (Shurṭah), each family⁴⁷ being liable for thirty-two *qirsh* ready money (*ʿadadiyyah*)⁴⁸ plus a *qirsh* as collection⁴⁹ charge on that.

d. For dealing wholesale (*ijbār*)⁵⁰ in the Cloth Market twenty-four *qirsh* ready money must be paid, plus a *qirsh* and a half

collection charge. Individual (cloth-merchants) of the Cloth Market must pay eleven *qirsh* plus half a *qirsh* collection charge. The allotment (*tafrīd*) of these (rates) shall be (effected) in accordance with the known regulations (*qawā'id*) issued by the respected *ḥākim*⁵¹ (and) kept in the hands of the Shaykh al-Mashāyikh.

2. The Market of Ḥaḍramī Cloth

(Sūq al-Ḥaḍramī)⁵² 283

i. The avoidance of fraudulence over head-wraps (*nuqab*) is stipulatory upon them.

ii. Anyone against whom there is evidence of slowness in payment to the stranger (*gharīb*) shall be suspended from buying until he settles in full.

iii. They are responsible for watch duty (*ḥirāsah*) when the town has need (of it). They are required to provide the customary fleece-lined coats for the watch, (contributing) sixteen and a quarter *qirsh* plus a *qirsh* collection charge on that, in accordance with the custom(ary payment ?) and the allotment of it in the original document (*al-umm*).⁵³

3. The Silver Market (Sūq al-Fiḍḍah) 283

i. Silver purchased from the Jews (*Dhimmiyyin*) and others, whatever (silver) it be—silver *qirsh* coin (*qirsh ḥajar*).⁵⁴ or Maghribī (Western silver ?),⁵⁵ or Buhārī (Bohrāh silver ?),⁵⁶ consisting of seven less one third—i.e. seven *qafḥahs* less a third—the profit (*maṣlaḥah*) for the owner of the capital (*rās al-māl*) shall be seven *buḡshahs* to the *waḡīyyah*.⁵⁷

ii. Silver other than the afore-going is broken up to become small

34 Ḥaḍramī cloth would reach Ṣan'ā' both by the land and sea routes. Al-Shihr port still had active looms in the sixties of this century and would presumably export its wares by sea to Mocha. Al-Jarmūzī, 235, speaks of the cloth named after Ḥabbān (of the Wāḥidī Sultanate) 'a large village, nearly a town', about the middle of the 17th century, a town where there were looms still working about the 1940's. The *Ṭabaq al-ḥalwā*, 63 b, records that a caravan from Ḥaḍramawt was plundered in the Jawf area in 1077/1666-7. Tarīm, at one time, also had a large population of weavers and might, conceivably, have exported to the Yemen. Al-Jarmūzī, 147, says of al-Bayḍā', 'Their clothing, like the rest of the Mashāyikh of al-Mashriq is only a waist-wrapper (*mizar*) and a *ḥiḡfah* of the top quality of choice al-Shihr cloth.' The tribal chiefs here go to great trouble to decorate (with silver) their arms which are the *bunduq* and powder-horn (*iddah*), and they wear their hair long.

35 Sing. *nuqbah* in Ḥaḍramawt, al-Sayāghī gives *naqbah*, pl. *niqāb*. These are black also, like a modern Ḥaḍramī *nuqbah* in our possession, but the Yemeni *maḡwan* is a rectangular cloth wrapped round a woman's head and shoulders. It is smaller than a *siṭrah* which reaches to the ground.

W. B. Harris, *Journey through the Yemen*, 312, noted caravans from Ḥaḍramawt and Yāfi' at the Ṣan'ā' *khāns* or hostels.

Nazih Riḡlah, I, 291, refers to caravans of Ḥaḍramawt to al-Bayḍā', Radā' and Ṣan'ā'.

36 Hodeidah has a Quarter named after the weavers Ḥārat al-Ḥawak (Zabārah, *A'immat al-Yaman*, (2), II, 110). Hodaydah and Wuṣāb cloth may resemble that still made today at Bayt al-Faḡh where *wuzars* are made for the tribes, also the *ḥiḡfah* of white cotton with red and yellow stripes for waist-wrappers or turbans, reinforced (*yitḡawwā*) with starch called *burr* (lit. wheat) at the time of sale. There are about half a dozen looms still working at Bayt al-Faḡh, each about 16 feet in length; the winding of the cotton twist is done on a little wooden machine called *sidar haqq al-kabib* which *yikubb-uh*, winds it into balls. Cloth is also said to be made in Bājil. Imām Aḥmad encouraged the weavers to manufacture this type of Tihāmāh cloth at Bayt al-Faḡh when he had subjugated the Zarāniq, as well as *burūd* (of wool ?) after the prevailing insecurity had put an end to weaving there (Zabārah, *A'immat al-Yaman*, (2), II, 35).

37 Paolo Costa purchased two iron *dhirā'* cloth measures in Ṣan'ā', one still in his possession is 65cms and bears a stamp upon which *al-niḡf* can be made out, with possibly a date. The other which he presented to me is 20 3/16" long the breadth at the narrowest point 6/16" and at the two splayed ends 10/16". *Maṣājid Ṣan'ā'*, 32, states that the iron *dhirā'* in Ṣan'ā' is 66 2/3cms. C. Ansaldi, *Il Yemen*, 220, makes a *dhirā'* 66cms. The *dhirā'* of al-Ḥādī the first Zaydi Imām is recorded as being a *dhirā' wa rub' wa-thumn*, i.e., a cubit plus a quarter plus an eighth.

38 In the unpublished section of his *al-Amthāl al-Yamāniyah*, Qāḍī Ismā'īl al-Akwa' cites, '*Khudh min al-maḡāl ḥajar*, Accept (even) a stone from the slow payer.' This is so that you may get paid what he owes even if by slow degrees. Thursday is the day for settling weekly payments in Ṣan'ā'.

39 *Istahāqq* here means *wajaba*.

40 The Ṣan'āni *dallāl* does not perform the same function as the Ḥaḍramī *dallāl*. Cf. section 4 infra.

41 *Dalla*, explained as '*arḡu-hu la-hu biḡā'at al-gharīb*. The *gharīb* is a person stranger to Ṣan'ā', not a Ṣan'āni.

42 Al-Sayāghī's typescript summary (see p. 179a) understands this to mean if the *dallāl* delivers some of the property of the stranger to the man who has been suspended.

43 *Ta'dīb* is any sort of punishment, fine, reprimand, prison, as used in this document.

44 *Mu'tāḍah* is almost certainly to be read for the text's *mu'tāḍin*. Cf. al-Jarmūzī, 183, '*awā'idu-hu al-mu'tāḍah mujrāt-un min-hu*, and *Nashr al-'arf*, II, 209.

45 *Jurum*, sing., *jaram*, the long coats lined with sheep's fleeces worn in the Yemen highlands, including Ṣan'ā' town to keep out the winter cold.

46 *Mafrūq*—cf. *al-farq 'alā ahl al-qaryah*, a sum imposed on the villagers, *yafriqu-hā*, they impose it. Cf. *tafrīd*, section I, *Sup. d*.

47 '*Ashirah*, usually a small sub-tribe, sept, community—the meaning here is dubious.

48 '*ʿAdadiyyah* means *ma'dūdah*, lit. counted out, i.e. ready money. The editor of an article in the same issue of the *Majallat al-makhḡūṭāt* entitled *Dirāsah li-ba'd al-wathā'iq tata'allāq bi-bay' wa-shrā khuyūṭ fi 'l-'asr al-Mamlūki*, 250, states that the expression is used for money paid by coins counted out, not by weight.

49 *Siyāḡ*, below, *siyāḡah*, is said to mean *ujrat al-naql*, cost of transport.

50 *Jabr* means *al-bay' bi-'l-jumlah*, wholesale.

51 Explained as *al-ṣādirah min al-qāḍī al-mawḡūṭ bi-hi*. *Al-ḥākim al-mu'tabar* seems to be the title by which the *qāḍīs* of towns are described as also in *Nashr al-'arf*, II, 752.

52 The existence of a special Ḥaḍramī cloth market is curious, possibly indicating that there was an appreciable import of Ḥaḍramī cloth into Ṣan'ā'.

53 Does this mean *Qānūn al-Mutawakkil* or some special agreement about watch duties?

54 *A riyāl ḥajar* I was told in 1966 means *jāmid*, i.e. *ṣaḡīḡ*, sound. Richard F. Burton, *Personal narrative of a pilgrimage to al-Madinah and Meccah*, London, 1893, I, 370, also calls *qirsh ḥajar* 'a sound dollar'. Cf. *The Portuguese*, 153-4. Niebulur, *Description*, III, 191, says the *qirsh ḥajar* is a German Crown or an *écu d'Espagne*. For *riyāls* in general see G. S. P. Freeman-Grenville, 'The late Francisco Carbone's collection of thalers from Yemen', *Numismatic Chronicle*, 1977, VII, XVII, 148-51.

55 At this period silver coin is unlikely to have come from North Africa to the Yemen, so Maghribī is rendered as 'Western'. Thomas Brooks, *An authentic account* . . . 45, speaks of Spanish dollars, Cruzadoes, English, French and German Crowns, Mexico and Pillar Dollars at Mocha about this period.

56 This may indicate the existence of a Bohrah community in 18th century Ṣan'ā'. At a much earlier period, Shahzadi Shehrbanu informs me Sayyidi Ḥasan b. Nūb, who plays a part in the Yemen history of the Bohrah (Da'wah Ḥādīyah) movement at that time, the 10th/16th century, and who is buried at Masār, was an Indian merchant of Broach dealing in silver.

57 Both Qāḍī Ismā'īl and Sayyid Aḥmad al-Shāmī with whom I discussed this section considered that it was a case of melting down coined silver into ingots, which were then sold for the weight of the silver plus a profit of seven *buḡshahs* to the *waḡīyyah*. The passage seems to imply that the ordinary silver standard is six and two thirds *qafḥahs* of pure silver plus an alloy content of one third of a *qafḥah*—the alloy no doubt of copper. *Mukḡlaḡ* would be 100% silver, but the ordinary standard, described here, would have 1 part of alloy to 20 parts of silver. There are ten *qafḥahs* to the *waḡīyyah* which is a *riyāl*, *qirsh* or dollar, so I calculate the profit on smelting at 7/80ths of a dollar, i.e. 8.75%. The main cost would be for charcoal (*sawd*). A. Grohmann, *Südarabien als Wirtschaftsgebiet*, II, 55, speaks of alloys, *nuḡfi*, half copper, *rub' ʿ*, a quarter silver and three quarters copper. For Zaydi law on selling gold or silver see Aḥmad . . . al-Murtaḡā, *al-Baḡh al-zakḡkḡr*, Cairo, 1366-1368/1947-1949, III, 385 seq.

pieces.⁵⁸ It is marked with the name⁵⁹ of the silver-smith after rubbing⁶⁰ it with the touchstone and ascertaining its value.

iii. The wage for silver-smith work (*ṣiḡḥah*)—the wage of the smith who fashions (*yaṣiḡḥ*) it is an eighth of a *qirsh* per *waqiyyah* for white smelting (*al-ṣabb al-abyaḍ*)⁶¹ into buckle⁶² pieces, bracelets⁶³ and the like.

iv. For hammered (*maṭrūq*) silver—the ornament of daggers, swords and guns—the wage is an eighth of a *qirsh* and four *buqshahs* per *waqiyyah*.

v. The wage for gold-washing (*ṭilā*) is according to the *qaflah*⁶⁴ of gold plus the cost of the mercury.

vi. The wage for (women's) necklaces (*labbāt*),⁶⁵ hollow bead-balls (*duqqah*), and for any mounting (*zar'*)⁶⁶ (of silver ornaments on a silver base) is a quarter of a *qirsh* per *waqiyyah*.

vii. The (silver) standard (*ta'dīl*)⁶⁷—seven *qaflahs* less one third—is stamped with the Imāmic stamp (*ṭābi'*),⁶⁸ and the silver-smith inscribes his name (on the piece of silver jewellery). Anything other than this—if it be in accordance with the pure silver (*mukhlāṣ*)⁶⁹ standard, *mukhlāṣ* is inscribed, and the silver-smith inscribes his name. If it be anything else it is treated in the same way to guard against fraud.

4. Commission Fees (*Dilālah*)⁷⁰ and the Conditions Thereof 284

i. Commission agents (*dallāl*)⁷¹ are entitled to a commission fee in respect of any item of merchandise they sell. The vendor pays a *buqshah* and a half and the purchaser one *buqshah* per *qirsh* on anything up to ten *qirsh* or less.

ii. (Both) vendor and purchaser will be present, and he (the commission agent) will act as intermediary⁷² between them over each article of merchandise, and stand guarantor.⁷³

iii. Every commission agent will make himself known.

iv. If any (commission agent) sells a thing without acquainting himself with what the vendor and purchaser are selling, he is liable to severe punishment⁷⁴ and suspension from selling on commission (*dilālah*) on account of the deception (*khiyānah*) between vendor and purchaser which becomes laid at his door (*yatarattabu 'alayhi*).

58 *Khashr*, broken up pieces (*ajzā'* *mufattiṭah*). One sees boxes of such broken pieces in the silversmith's workshops in Ḥadramawt, as well as old coins.

59 Several pieces in my possession seem to have a name and *mukhlāṣ* stamped on a raised seal applied to the main surface.

60 Reading *ba'da ḥakki-hi*, for *yu'add ḥakku-hu*. It is rubbed on a stone to see if there is fraud.

61 I.e. the making of old and dirty silver white by melting it. Cf. Sūq al-Abyaḍ, the Silver Market.

62 *Maqṣarah*, pl., *maqāṣir*, a sort of ornamental buckle on a brocade belt for holding the dagger, doubtless once functional but now superfluous.

63 *'Asāwir* (perhaps no singular), bracelets of many types worn by women, so called from the twisted silver bracelet.

64 A *qaflah* is a tenth of a *waqiyyah*, the latter being the weight of a Maria Theresa dollar.

65 *Labbāt*, sing., *labbah*. *Duqqah*, pl., *duqqa*, hollow balls *ḥubūb mujawwafah*, also women's ornaments. *Fatāwa Ibn Ja'mān* (Ms. in my possession), 278 b, contains the case of a man who took a *duqqah fiḍḍah* from his wife's throat (*ḥalq*).

66 Cf. *mazrū'* which means an object, such as the wooden stem of a water-pipe or the handle of a dagger, which is decorated with a pattern of small silver, or nowadays aluminium, nail-like ornament driven into it. Other ornaments are *madwar*, pl., *madāwir*, a silver ring, *qashīḡah* a woman's brow ornament, etc., Cf. Rossi, *L'Arabo parlato*, 156; al-'Arshī, *Bulūḡ al-marām*, ed. Anastase-Marie al-Kirmīlī, 438.

67 This sense is deduced for *ta'dīl*, cf. *ta'dūl*, quantity of precious metal in an alloy (S.D. Goitein, *Travels in Yemen*, (Ḥabshūsh), Jerusalem, 1941, 90).

68 Explained as *khatm*, *damghah*.

69 See fn. 59, supra. The old Silver Market in Ṣan'ā' is called Sūq al-Mukhlāṣ. The prices for the three categories of silver ornament are, per *waqiyyah* or ounce, ten *buqshahs*, then fourteen *buqshahs* for hammered silver, and twenty *buqshahs* for women's necklaces etc. If the ornaments are made from the dollar which weighs an ounce and is worth eighty *buqshahs* the price per ounce of each manufactured article can be ascertained without difficulty. Cf. the Jewish document (p. 238) which corroborates some of the *Qānun*.

70 In Ṣan'ā' the *dallāl* is not a broker as he is in Ḥadramawt, the Ḥadramī *dallāl* having a function closer to that of the Ṣan'ānī *muṣliḥ*, dealers or brokers. Cf. C. de Landberg, *Ḥadramawt*, 322 seq., where *yedīl* is rendered as *yislah bayna-hum*.

71 Qāḍī Ismā'īl, *al-Amḥāl al-Yamāniyah*, I, 228, no. 645, quotes the Tihāmah proverb, 'Am-dallāl ḡhashh wālidai-hi. The *dallāl* cheats his mother.' He also quotes, 'Rās māi al-dallāl al-kadhīb. The *dallāl*'s capital is lying.'

v. The stranger⁷⁵ commission agent (*al-dallāl al-gharīb*) who does not make himself known, will be suspended for fear of people losing their property.

vi. When the commission agent purchases (for himself) he is forbidden to take the commission fee for effecting a sale (*al-bay' wa-'l-shirā*).

vii. Commission agents dealing in silver are prohibited from ordering silver to be manufactured for themselves as a precaution against fraud.⁷⁶ Anyone who orders any to be made for himself will be suspended and punished (*uddiba*).

viii. Commission agents in grain receive a *buqshah* on the *qirsh* from the vendor and a *buqshah* from the purchaser. The (charges)⁷⁷ have been made the same for (both) vendor and purchaser lest giving short measure,⁷⁸ or the reverse, should take place were the commission fee to be payable by one of them only. The commission fee for the stranger (*gharīb*) is one *qirsh* on every hundred *qirsh*.

ix. The commission fee on cloth (*bazz*) when sold by the score is half a *qirsh* on every hundred *qirsh*, and the commission fee on loads (*'idl*)⁷⁹ of cloth is, as in the preceding case, half a *qirsh* on every hundred *qirsh*. On Ḥadramī cloth, on the bundle (*ribṭah*)—i.e.⁸⁰ a score and a quarter (25), (is due) what is special to it, namely the *qirsh* on the hundred *qirsh*. White cloth in this market (*Sūq al-Bazz* ?)—a *qirsh* on the hundred *qirsh*, half (of it) to be paid by the vendor and half by the purchaser.

x. The charge (*kharij*)—to the warehouse-keeper (*samsari*)⁸¹ a *buqshah* on the bundle (*ribṭah*), and a *buqshah* to the porter.

xi. The commission (on the sale of) houses—a *qirsh* on the hundred *qirsh*—vendor and purchaser.

(Supplementary) 284-5

a. Commission agents (carrying wares on their) shoulders (*kutuf*)⁸², and al-Mibṣāṭah⁸³ (the old clothes market)—it is stipulatory upon them that they give a guarantee of responsibility⁸⁴ (for any incident) to the Shaykh of the Market, and that they (the group as a whole ?) should get from the vendor, if he be an unknown person, a man who will introduce (*mu'arriḥ*) him, lest something that has been stolen should be sold. They are prohibi-

72 Arabic *nāzara*.

73 So as to guarantee (*yaḍman*) against a *ḥadath ḡhishsh*, or fraud. He will be responsible to get back the money or the defaulter.

74 *Uddiba*, i.e., he will probably be fined. *Adab* means *gharāmah*, a fine.

75 Presumably a commission agent from outside Ṣan'ā'.

76 I.e. *dallāls* are not allowed to give a wage to the Jews (*ta'yir al-Yahūd*) to make silver for the *dallāl*'s own use. This seems to mean that the *dallāl* only receives a fee for acting as an intermediary—which he would not be doing were he to purchase for himself.

77 One has to understand something like *fi 'l-ʿayid li-'l-dallāl* here, i.e. the charges payable to the *dallāl*.

78 *Taḥṣif*—a *muṭaffif* is one who does not give full measure. Cf. *Qur'ān*, LXXXIII, 1, 'Wayl li-'l-muṭaffifin, Woe to those who give short weight—who when they measure against others take full measure; but when they measure or weigh to them, diminish.'

79 *'Idl*/*idlah*, half of a camel-load; cf. *Gloss*, *dat.*, 2271, *le sac qu'on charge sur la bête de somme*. A camel-load on the Arhābiyyah or Ḥamdāniyyah camel was stated to be sixteen *ṣafihahs*, or eight *qadaḥs*, or four boxes. Qāḍī Ismā'īl, *al-Amḥāl al-Yamāniyah*, I, 418, no. 1254, cites the proverb, 'Al-jamal al-jid yihmil 'idlatayn aw thalāth. The good camel carries two or three half-loads'. Cf. *Jemenica*, 143, no. 1072.

80 Reading *wa-hiya* instead of *alladhī*, or *alladhī hiya*.

81 Here *samsari* means *ṣāhib al-makhzan*, store-keeper. Al-Sayāḡhī says the *makhzan* is called *samsarah* in Ṣan'ā'. *Samsari* can also, however, mean *muqahwi*, keeper of a coffee-house or hostelry.

82 The *dallāl* in *al-kutuf* are hawkers who go round selling goods which they carry in a *buqshah*, i.e. a cloth.

83 Al-Mibṣāṭah is where old clothes—for the most part—are spread out on the ground (*tubṣāṭ fi 'l-arḍ*) in the street itself, or displayed in the shops there. It has a *sabil* built by a certain Rizq al-Muḥannī (the Seller of Henna) according to *Masājid Ṣan'ā'*, 84. The Sūq al-Ḥarāj (Auction Market) is normally called Sūq al-Mibṣāṭah, but it is also called Sūq al-Janābī (the Dagger Market), vendors of daggers accosting passers-by there.

Niebuhr, *Description*, I, 334, speaks of a market where 'on peut troquer les vieux habits contre des neufs.'

The vendors of *ḥarad* (also called *maqlā*) stone bowls for cooking in, *yufrushūn al-ḥarad*, 'spread out' their wares going from one part of the town to another as the market becomes saturated. I have also seen them going round the Ṣan'ā' market with them as hawkers.

84 *Taḍmin*—*ḡamānah* means here responsibility for anything that happens.

ted from purchasing for themselves.⁸⁵

b. They are required to provide for the customary watch (*haras*) as required, (at the rate of) thirty-four *qirsh* per annum, plus two and one eighth *qirsh* the customary collection charge on that, the whole amounting to thirty-six and one eighth *qirsh* with the customary collection charge included.

5. Concerning Merchandise⁸⁶ Which Comes With Strangers (*Aghrāb*) 285

Any goods coming with strangers,⁸⁷ such as merchandise of Syria, al-Nu'mān,⁸⁸ and the Persians (*ʿAjām*), and such as gold, silk, spicery (*mi'ṭārah*),⁸⁹ twist (*ghazl*), frankincense (*lubān*), indigo (*nīl*), etcetera, shall first be offered for sale to the craftsmen (*ahl al-miḥār*), retailers⁹⁰ of spicery, the Silk Market (*Sūq al-Ḥarīr*), and weavers⁹¹ for three days, and they will be given first choice to acquire whatever pertains to them as a craft (*ḥirfah*). Then after them will come those who display (their goods in boxes in the streets) (*al-raṣṣāfin*).⁹² Others apart from these will not (be able to) acquire any of this till after three days have passed. The charge of this is the responsibility of the commission agents and the Shaykh.⁹³

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6. The Spicery Market (*Sūq al-Mi'ṭārah*)

a. Goods shall be displayed for three days, and any person known for slowness in payment shall be suspended from acquiring property and shall not be allowed any merchandise till after he pays what he owes.

b. The retail (*kasr*)⁹⁴ profit in spicery (costing) ten *qirsh* is twelve and a half *qirsh*, the additional profit being to cover (*ilā muqābil*) (the cost of) paper (*qirṣas*) and thread.⁹⁵

7. Wax Melting (*Ṣabābat al-Sham'*) 285

i. The payment for the melting of (bees) wax⁹⁶ is half a *qirsh* on

the *farāsīlah*,⁹⁷ subject to the usual cleansing and straining,⁹⁸ it being stipulatory on the smelter (*shammā'*) that he imprint his name upon what he manufactures on account of (possible) fraud. Anyone in whose work evidence of fraud appears is liable to suspension and punishment (*ta'dīb*).

ii. They are required to pay the customary wages of the watch as the town needs, and they are required to provide fleece-lined coats of the watch (*ḥirāsah*) to the tune of five *qirsh* per annum, plus two *qirsh*, the customary collection charge on that.

iii. The sale of (bees) wax—the maund (*mann*) (consists of) thirty-two *uqiyyahs*⁹⁹ equivalent to two pounds (*raṭl*) in weight, according to the weights.¹⁰⁰ On other things such as spicery and silk, sold by the *raṭl* and *farāsīlah*, the profit shall be (in the ratio of) ten (sold for) eleven. (On) what is sold by the *waqiyyah* and the quarter *raṭl* the profit shall be (in the ratio of) ten (sold for) eleven. Anyone who opens the door to inflation (*ziyādah*) incurs punishment.

8. The Silk Market (*Sūq al-Ḥarīr*) 286

i. (The procedure) laid down for them in regard to the merchandise of Syria¹⁰¹ has already been mentioned.

ii. They are required to provide the fleece-lined coats for the watch as they are accustomed to do, to the tune of three *qirsh* plus a half as collection charge on that, and (to provide men for) the customary watch (*ḥirāsah*) of the town when needed.

9. *Sūq al-Halaqah*¹⁰² 286

i. It is the responsibility of the Shaykh to keep an eye on the cost of goods and assign to them (the vendors ?) the (rate of) profit imposed on the rest of the goods, on account of the goods being liable to breakage, and to loss where cheap¹⁰³ things are concerned. He will inspect¹⁰⁴ them twice a month.

ii. They are required to pay what markets beside theirs pay, and they are required to pay for the fleece-lined coats necessary for

From it candles used to be made in moulds. Till recently large candles were used in the mosques, especially in Ramaḍān, or when there was a dead man (*mayyit*) to be laid out. These were put in large candlesticks of brass (*naḥās*) or iron called *maghras*, plur., *maghāris*. (Cf. *Gloss. dat.*, 2364, E. V. Stace, *English-Arabic Vocabulary*, London, 1893, 26); Rossi, *L'Arabo parlato*, 154.

97 The *farāsīlah*, plur., *farāsīl*, according to Rossi, *L'Arabo parlato*, 152, is 20 *raṭls*, about 5 kilos.

98 Arabic *tanfīf*, for *tangīf*, explained as straining (*taṣfiyah*) with the strainer (*mashann*). *Mashann* is also the name for the small settling cistern between collecting channels feeding a large cistern and the cistern itself. These large cisterns one sees over the Yemen. Mud and gravel settle in the *mashann* where they can be removed more easily than from the main cistern.

99 Thomas Brooks, An authentic account . . . 42, states that the maund is 2 2/3rds rattles or 4 vakias (*waqiyyahs*). This seems to be a Mocha weight as in Niebuhr, *Description*, I, 192. The *uqiyyah/waqiyyah* is an ounce weight, also the weight of a Maria Theresa dollar. Rossi, loc. cit., gives the plurals, *awāqī/waqiyyāt*, circa 33 *grammi*, divided into 1/2, 1/3, 1/4, 1/8, 1/10.

100 Of the *raṭl*, Rossi, loc. cit., cf. C. Ansaldi, *Il Yaman*, 229, says, *peso variabile secondo le merci da pesare*. It is 17 *waqiyyahs* for coffee, sugar, rice, dates, drugs—this is the small *raṭl*; it is 20 *waqiyyahs* for meat and vegetables—the medium *raṭl*; the large *raṭl* of 24 *waqiyyahs* is used for wheat, oil, butter, honey, petroleum. Fractions of the *raṭl* are *nuss*, *thilith*, *rub'*, *thumun*. These measures may all have been altered from an older system by the Turks, for Zabārah, *A'immat al-Yaman*, (2), I, 75, states that in 1305 H. (1887-8 A.D.) 'Uthmān Nūri Bāshā arrived in Ṣan'ā' and two months later deposited the shaykh 'Alī b. Muh. al-Bilaylī al-Ṣan'ānī from the mayorship (*ri'āsah al-baladiyyah*) and imprisoned him. He installed as mayor a certain Mustafā Effendi al-Qayṣarī who 'regulated the affairs of Ṣan'ā', fixed the weights and measures (*al-mawāzin wa-l-makāyil*) in its markets, making the *raṭl* twenty *uqiyyahs* for meat, fruit, vegetables and the like after it had been sixteen *uqiyyahs* only.

For *bi-lā wazn*, read *bi-l-awṣān*.

101 Syrian merchandise was probably silks such as used to be sold by Syrians, obviously strangers—with blue eyes—in *Sūq al-Za'farān* in Aden.

102 Al-Halaqah means literally a round circle (*dā'irah mustadīrah*). It was the place of unloading (*maḥall*) for all goods arriving in Ṣan'ā' and from *Sūq al-Halaqah* they were distributed to the other markets. Al-Sayāghī, perhaps drawing on 'Abd al-Wāsi', *al-Badr al-muzil*, 10, says that *al-khurḍawāt* are sold there—the Yemenite word for these being, according to al-Wāsi', *al-kharaz*, lit., beads—*khurḍawāt* for Qāḍī Ismā'il means such various things as locks, nails, dry-saltary in general. China-ware (*ṣini*), rosaries (*ḡubāḥ*), glass chains, bracelets etc. are for sale there. Most of the merchants have no shops, but sit on chairs with awnings (*khiyam*) over them and what resembles wooden tables in front of them upon which they display their wares. See p. 161a seq., 247a.

103 *Hajrah*, explained as *fāfiḥah*.

104 *Yata'āhad*—*yamurr 'alay-him*—he will pass by them.

85 They are not allowed to act as intermediary (*wāsiyah*) to themselves, so collecting a commission from the vendor. Cf. the case of the *dallāls* supra, p. 184a.

86 Niebuhr, *Description*, I, 334, speaks of merchandise of the Indies, Persia and Turkey at Ṣan'ā' in the latter half of the 18th century, while in 1836, Cruttenden, *Journey*, 285, said its imports were 'principally piece-goods and Persian tobacco, with dates from Tehāneh; and a great quantity of thread, or rather twist, for weaving.' The import duties in Ṣan'ā', he says, 'are very light, and indeed almost nominal. Glass is in great request, and the demand is supplied from Egypt. Very magnificent silks and velvets are exposed for sale in the bazar, as well as spices, sugar, &c.'

87 *Al-aghrah*, i.e. persons who do not normally bring goods (*tawrid al-biḍā'ah*) to Ṣan'ā'. Cf. *Sirat al-Hādī*, 62, on foreign merchants (*ghurabā'*) who come to trade and stay three months, most likely in the Ṣa'dah region.

88 *Luhfah Nu'mān* is the name for a sort of striped cotton cloth of the type made at Bayt al-Faqīh (Cf. f.n. 34), but in the context I have wondered if it might be from Ma'arrat al-Nu'mān of Syria. However *Ṭabaq al-hakwā*, 71 *passim*, uses al-Nu'mān for Oman of eastern Arabia, and one sees striped cotton cloth like that of the Yemen in the *sūqs* there.

89 *Mi'ṭārah* covers a whole range of wares such as drugs, perfumes ('*uṭūr*'), spices (*ḥawāyij*), incense (*bakhūr*), finely ground sugar powder (*bathih*), etc. Cf. *Nashr al-'arf*, I, 274, for *mi'ṭārah*. Qāḍī Ismā'il al-Akwa' quoted the amusing verses,

Marartu bi-'aṭṭār-in yaduqqu qurumful-an
Wa-misk-an wa-kāfur-an wa-qultu lahu . . .

Wa-qūla li-'l-'aṭṭārī ruddu qurumfuli
Wa-miski wa-kāfurī wa-qultu lahu . . .

I passed by a perfumer pounding up cloves
And musk and camphor, and I said to him . . .

Said the perfumer to me, give (me) back my cloves,
And my musk and my camphor, but I said to him . . .

At the end of each line one says nothing but sniffs—meaning '*shumm shumm*'. In the first case this means 'sniff, sniff', in the second verse it means refusal in a haughty manner.

90 *Kasār* is a retailer—Cf. *kasr* retailing in section 6 below, and *Gloss. dat.*, 2573, *kasara*, changer.

91 *Hawāk*, pl. of *ḥayik/hayk*, a weaver. Cf. *Ḥarāt al-Hawāk* or *Ḥayy al-Hawāk*, the Weavers' Quarter in Hudaydah.

92 *Raṣṣāfin* are those who display their merchandise laid out on boxes in the streets of the open market. Cf. *Gloss. dat.*, 1289, *raṣafa*, to arrange.

93 Presumably Shaykh al-Mashayikh.

94 Cf. f.n. 90. *Mikṣārah* also means retail.

95 Thread is, or was until recently, still used for tying up small packets of spicery etc.

96 *Kars* is the wax remaining once the honey has been extracted from the comb.

the watch, to the tune of fifteen *qirsh* plus two *qirsh* collection charge on that. The allotment¹⁰⁵ of that shall be according to the regulation (*qā'idah*)¹⁰⁶ (kept) with their Shaykh.

10. Coffee-Husk,¹⁰⁷ Oil and Ghee (*al-Qishr wa-'l-Salīṭ wa-'l-Saman*) 286

i. Persons going out to intercept¹⁰⁸ those (three commodities) which are imported (to Šan'ā') by travellers shall be suspended from (going out) to any quarter (*jihah*). The importer (*jallāb*) shall come himself to Šan'ā'. Any person¹⁰⁹ who deprives (? *akhadh*) one of the markets in which imported articles coming to the town are displayed (*tulqā*),¹¹⁰ is liable to punishment and suspension.

ii. The retailer (*kassār*) in ghee and oil is entitled to a *buqshah* and a half on each *raṭl*, and the retailer in coffee-husk is entitled to one *buqshah*. For settling the deal in coffee-husk (*ṣulḥat*¹¹¹ *al-qishr*) the vendor will contribute two and a half *buqshahs* on the bag ('*idlah*)¹¹² and the purchaser a *buqshah* and a quarter.

iii. The deduction (*qaṭ'*)¹¹³ (allowed) in oil and ghee—from, it seems, the basic weight, because of (their) being separated up and handled¹¹⁴ and (because of) what remains in the containers (*a'ṭal*)¹¹⁵—on skins containing sheep-and-goat (ghee) (*azqāq*¹¹⁶ *al-ghanamī*) is six *raṭls*, and on skins of cow ghee (*al-baqarī*) it is eight *raṭls* on a hundred *raṭls*. The container ('*aṭal*) is returned to its owner when its content is in excess of this amount. Woollen sacks (*gharār*'ir)¹¹⁷ also are returned to their owner.

iv. The person supervising¹¹⁸ the distribution of the oil among the people of Šan'ā' (the retailers), and undertaking the payment to the vendor of what is due to him (receives) a fee of a quarter *qirsh* on each load (*ḥiml*).

v. The warehouse-keeper (*samsarī*) is due the customary charge (*kharj*) on the purchaser, but what the man of Šan'ā' buys for his

own household has nothing to pay.

vi. In the Ghee Market (*Sūq al-Saman*) there shall be a single dealer (*muṣliḥ*) for skins and jars (*azqāq wa-ku'ad*).¹¹⁹ No sale shall be made to those who display (their goods on boxes in the streets), retailers, and Bāniyāns¹²⁰ till after (the needs) of the townspeople have been satisfied.¹²¹

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a. In the Ghee and Oil Market weighing shall be done with stamped weights only and no importer (*jallāb*) shall weigh for himself but (must weigh) on the Government Scales¹²² (*Mizān al-Dawlah*).

b. The (rate of) profit is as previously mentioned.

c. Anyone who sells adulterated or poor quality ghee, such as ghee a year old or more (*al-saman al-dāyil*)¹²³ will be imprisoned and suspended (from dealing). So also anyone who adulterates oil with other oils¹²⁴ (*dihānāt*) like bitter almond (*al-lawz al-qubbī*) oil etcetera, is liable to punishment.

d. (The rate of) profit in honey is the same as that on ghee.

e. The *raṭl* in the case of these (three commodities) is made up of twenty-four *waqiyyahs* (equivalent to an ordinary small) *raṭl* and a half, in accordance with the custom ('*adah*) and regulation (*qā'idah*).

f. They are required to carry out such watch duties (*ḥirāsah*) as by custom they do at (times of) need in the town. They are required to provide the customary fleece-lined coats to the tune of forty-one and a half *qirsh* reckoned out, plus two and a half *qirsh* as the customary collection charge on that, the allotment of which shall be (effected) in accordance with the regulation.

a/b. In the Coffee-Husk Market (*Sūq al-Qishr*) they are entitled to the (rate of) profit previously mentioned.

b/b. Blowing water (*bakhhk*) from the mouth (onto the husk so as

105 Cf. f.n. 46, supra. *Tafīd al-mablagh* is distribution of the (total) sum.

106 *Qā'idah* would appear to mean here at least, an agreed statute, or a procedure. One says in the Yemen, '*Al-qabilah al-fulanīyah mutaqā'idin—bayna-hum mu'ahadah*. The tribe so and so are mutually agreed'—they have a treaty between them.

107 Coffee in the Yemen has of course much lore attached to it, but a few useful notes are to be found in Rossi, *L'Arabo parlato*, 163-4.

108 *Mutalaqqin*, syn., *mutalaffiqin*. One says, '*Kharajū al-malqā*. They went out to perform the *istiqbāl*,—e.g. the reception of the President on his arrival. This clause is intended to prevent the townsfolk of Šan'ā' from going out to purchase from countryfolk coming into town to sell their wares, and thus creating a corner in these products. As early as the 8th century A.D. a Tradition is cited by the Zaydis, 'The Apostle of God prohibited (going out to) meet travellers (*talaqqi 'l-ruḥbān*).' 'A townsman shall not sell on behalf of a countryman—let the people alone for God to provide for the one through the other (*lā yabī'u ḥādir-un li-bād-in* . . .)'. This is quoted from E. Griffini, '*Corpus iuris*' di Zaid ibn 'Alī, Milano 1919, but the maxim is quoted in many other sources, Sunni and Shī'ī. The same source declares that 'The importer of food is thanked, while the monopoliser/hoarder is a sinner, cursed (*jālib al-ba'ām marzūq qa-'l-muhtakir 'ās-in ma'ūn*). See p. 164a.

Cf. Muslim's *Ṣaḥīḥ* with al-Nawāwī's commentary, Cairo, 1283 H., IV, 7, seq. *Bāb tahrīm talaqqi 'l-jalāb*. The maxim '*tahrīm bay' al-ḥādir li-'l-bādī*' is explained. What is meant by it is that a stranger (*gharīb*) should arrive from the steppe (*bādīyah*) or another town (*balad*) with goods (*matā'*) the need of which is common (to all) to sell them at the price of the day, and the townsman (*baladī*) says, 'Leave them with me so that I may sell them gradually, at a higher (price).'

109 The subject here is *al-multaqī*, the person who goes out to meet the importer.

110 *Tulqā al-jalūbah*, i.e. *tu'raq*, the imported article is displayed.

111 *Ṣulḥah*, a deal made by a *muṣliḥ*, though Qāḍī Ismā'il said that the deal here would be made by a *dallāl*.

112 '*Idlah* here means a bag, *gūniyah* or *his*. Cf. f.n. 79, supra.

113 *Qaṭ'* means *inqiṭā'* or *tanqis*. If one buys, say, a hundred *raṭls* of oil the customer will be reckoned to have received only ninety-nine because one *raṭl* remains sticking to the sides of the containers. In Section 50, iv, allusion is made to a custom of compensating the customer for this loss.

114 *Na'ath*, according to al-Sayāghī, means *al-mufarraḡ*, what is separated, but the *Taj al-'arūs*, gives the verb *na'atha* the sense to handle, which seems appropriate here.

115 '*Aṭl*, pl., *a'ṭal* is, according to al-Sayāghī, a vessel for holding ghee—so-called once its contents have been emptied. The text as it stands also gives a singular '*aṭal*. However, '*aṭal*, pl., *a'ṭal* is a common word for a sack made of '*azaf*, palm-leaf as in *Gloss. dat*.

116 *Azqāq*, sing., *ziqq*, is also a classical Arabic word.

117 *Gharār*'ir, sing., *ghirarah*, a *juwāl/shuwāl*, sack, also called *juwālīq* by Qāḍī Ismā'il, *al-Amthāl al-Yamāniyah*, I, 151, no. 408. *Zabārah*, *A'immat al-Yaman*, I, i, 149, mentions in 634 H., *juwālīq al-qa'am*, sack(s) of millet. A *juwālīq* containing a *rizmat burr* is mentioned in the time of al-Hādī, cf. K. *al-Muntakhab*, 569.

118 The person who distributes the oil and collects the money for it in Šan'ā' does so in order to save the vendor from being delayed in the town while collecting the money from the purchaser. *Mukhārājāt al-bā'i*' was explained as *yadfa' al-thaman*. *Mustaqim* has here the sense of *muṣliḥ* and he is responsible for *al-inṣāf bi-daf' thaman mā bā'*, seeing justice is done through payment of the price of what he (the oil vendor) has sold.

119 A *ku'dah*, according to al-Sayāghī, is a pottery (*khazaf*) vessel like a *qullah*, used as a water and ghee jar. This, however, is not the sense in Ḥabbān and Ahmad. . . al-Miḥḍār (Cf. my *Prose and Poetry from Ḥaḍramawt*, 29) laughs at them for making '*aṣīd* in a *ku'dah* which would mean a flat serving dish there. The handle is called *mazqam*, pl., *mazāqim*.

Thomas Brooks, op. cit., states that, 'Oyl is sold by the Cudda, Noosfia and Vakia.' These are evidently *ku'dah*, *muṣfiyyah* and *waqiyyah*, but he makes 16 *waqiyyahs* equivalent to one *muṣfiyyah*, and four *muṣfiyyahs* to 'one Cuddy poise (weight) about 18 lbs'—this in itself cannot be correct, but see Section 45—a large *ku'dah* has a capacity of fifteen large *raṭls*.

Gotein, *Jemenica*, 146-7, no. 1098, reports that a poor (Jewish) household would buy an *ūqiyyah* of oil (*saṭī*) as seasoning, but a normal household, a *thumunah*, equivalent to an eighth of a *raṭl*. This he describes as a jug with a handle. A *rub'ah* (quarter *raṭl*) has two handles, a half *raṭl* jug has three handles, and a *raṭl ku'dah*-jug four handles. Cf. Rossi, f.n. 100.

120 The Hindu merchants of Šan'ā', for whom cf. Section and pp. 432-35.

121 This is when these are being sold in quantity, wholesale. The other three groups can then buy in order to retail after the townspeople have purchased what they need.

122 In each Šan'ā' *sūq* there is a Government Scales, even in the *Mizārah*, the Butchers' Market. Al-Ghaffārī said that the *Mizān al-Dawlah* was so called up to the end of Turkish days, and located in the *Samsarat al-Mizān*. It was supervised by Bayt al-Akwa' family.

123 *Dāyil* (cf. *Gloss. dat.*, *dāl*, *yadūl*, *devenir vieux*) would be ghee a year or more old. Another term for it is '*ami*, explained as '*alladhī marra 'alayhi 'am*, that over which a year has passed.' In the cold districts ghee does not go bad even after a year, and sometimes old ghee is considered good and preferred.

124 Other oils include oil of apricots (*barqūq/mishmish*), almond (*lawz*) oil, oil of *rubsha* = *khirwa*, castor oil—these may be used to adulterate the oil in question. Bitter almond oil is described as *qubbī* and one can say, '*Aqabb min al-ḡabir*, bitterer than aloes.' (*Al-Amthāl al-Yamāniyah*, I, 199, no. 553). Some apricot oil is sweet and some bitter. An oil is also made of peach (*khawkh/firsik*), kernels. Apricot, almond and peach oils, made of course from the kernels of the stones of the fruits are also used in tanning. Oils used for burning in lamps included *saṭī khardal*, oil of mustard—this grows in the northern highlands and takes the place of sesame which grows in the lower Yemen but not in the north—apricot oil called *tum al-mishmish*, kernel oil (*saṭī qawqa'*), and peach oil. The kernels are ground just as sesame is ground, and the resultant oils used.

For *qawqa'ah*, cf. Goitein, *Jemenica*, 123, no. 891, *lawzi* is the kernel of the almond.

to increase its weight) is prohibited.

c/b. Weighing¹²⁵ shall be done with the stamped weights (*wazanāt*).

They are required to carry out such watch duties (*ḥirāsah*) as they are accustomed to do, and to provide, of the fleece-lined coats distributed to the watch, fifteen *qirsh* plus two *qirsh* collection charge on that, the allotment of which shall be (effected) in accordance with the regulation (kept) with the Shaykh.

11. The Tobacco Market (*Sūq al-Tunbaq*) 287

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a. They are entitled to the same (rate of) profit as that previously mentioned in the case of coffee-husk.

b. Blowing water on it is prohibited, as also is the mixing of poor quality tobacco with good (*al-ḥa'if bi-'l-maliḥ*) because this is fraud. Good and poor quality tobacco-powder (*duqqah*)¹²⁶ shall each be (offered) for sale separately.¹²⁷

c. They are required to provide the watch duties they customarily do when needed, and they are required to provide the fleece-lined coats of the watch to the tune of twenty-two and a half *qirsh* ready money, plus a *qirsh* and a half collection charge on that.

12. The Market of Black Tobacco¹²⁸

(*Sūq al-Tutun al-Aswad*) 288

a. They are entitled to the same (rate of) profit as that previously mentioned in the case of the coffee-husk, providing it is the goods of the region (*iqḥim*)¹²⁹ and that good quality (tobacco) is not adulterated (*yukhlaḥ*) with poor.

b. Weighing shall be done with the weights stamped with the Imāmic stamp.

c. They are required to carry out such watch duties as they are accustomed to do when the town needs, and they are required to provide the fleece-lined coats of the watch to the tune of ten *qirsh* ready money plus half a *qirsh*, the customary collection charge on that, the allotment (*tafriq*) of which shall be (effected) in accordance with the regulation.

13. The Rope-Fibre Market (*Sūq al-Salab*)¹³⁰ 288

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a. Honesty (*amānah*) without deception is stipulatory in the evaluating¹³¹ of the load (brought in by) the importer (*jallāb*). The Shaykh also (must comply with this condition).

b. The Shaykh of the Rope-Fibre Market is responsible for fixing the price (*tas'ir*) of the *raḥl* of worked rope-fibre (*salab*) in accordance with what he considers the best interest (*maṣlahah*) for the Muslims. The Shaykh is responsible for obliging (*ḥabṭ*) the Market people to deliver the money (? *māl*) to the stranger (*gharīb*) in accordance with the regulation (*qā'idah*).

c. They are required to carry out such watch duties (*ḥirāsah*) as they are accustomed to do when the town needs, and they are required to meet the due (*ḥaqq*) they customarily pay for the fleece-lined coats of the watch, namely three and a half *qirsh* plus a quarter *qirsh* collection charge for that.

d. Rope-fibre imported (*majlūb*) to the town—the regulation on it (stipulates) that the earth (*nays*)¹³² shall be shaken off the load of the donkey (*bahimah*)¹³³ and the load carried by a man. As for the camel-load a single coil (*'uṣrah*) (only) has (the earth) shaken off it, and (when this coil has been dealt with) the experts¹³⁴ (*mukhtabirīn*) release¹³⁵ the rest (for sale ?).

e. If fraud comes to light the (rope-fibre) is not imported, should the importer (*jallāb*) be a stranger, the fraud rebounding upon him. If he be a frequenter (*mutaraddid*) (of the Rope-Market) he is liable to imprisonment for fraud.

f. It is sold by weight (of ?) a hundred (coils,¹³⁶ *raḥls* ?), the (fixing of the) price of it being the responsibility of the Shaykh given charge in the Market. He will allow (*ja'ala*) the retailers (*kassārīn*) a labour charge (*shaqā*)¹³⁷ in proportion to the difficulty of the work, for work with it differs, well ropes (*sirāt*)¹³⁸ in proportion to the amount of work, and nets (*shibāk*) similarly.

14. The Grain Market (*Sūq al-Ḥabb*) 288

There shall be twenty persons there, measurers (of grain) (*kayyālīn*), honest (*umanā'*)¹³⁴ men (specially) selected, known for their honesty (*amānah*) and lack of deception. They will collect the customary measuring charge (*kiyālah*)¹⁴⁰—an eighth of an

125 P. Boxhall, 'The diary of a Mocha coffee agent', *Arabian Studies*, London, 1974, I, 110, quotes from the experience of the British factor at Mocha in 1733. 'We have made our Banians speak to the weighers, and desire them to show us how far their Dexterity extends, which they have given us a specimen of in the above Coffee, in which we find we have gained above Three and a half per cent at the Sale, tho' the manner of doing it is not very commendable, for it is done by giving the weighers a small Sum of money, and keeping them constantly supplied with Liquors, for which they have given us so great an overweight, and for a small Trifle wronged the owners of the Coffee of a considerable Sum.'

The factor had much trouble over the pilferage of coffee in carriage to Mocha.

126 *Duqqah* is explained as *daqiq*.

127 Reading *waḥda-hā*.

128 See on tobacco, p. 175a.

129 Cruttenden, *Journey*, 282, 285, alludes to the Persian tobacco in *Ṣan'ā'*—this would not be 'goods of the region'.

130 *Salab*, *Gloss. dat.*, 1961, nom d'une plante *Sansevieria Ehrenbergii*. *Schweini*, dont les feuilles contiennent des fibres employées pour la fabrication des cordes. There is a *Sūq al-Salab* to this day in *Ṣan'ā'*—cf. Rossi, op. cit., 146.

131 Reading *muthamman* for *m th n*.

132 *Nays* is usually coarse sandy soil.

133 *Bahimah*, pl., *bahāyim*, in the northern Yemen usually means a donkey, fem. *atān*. Cf. Algerian *bhim* mules. Cf. *al-Amṭhāl al-Yamāniyah*, I, 320, no. 933, for the excellence of the donkeys of Thilā.

134 This presumably means that the experts, or men of experience, only examine one coil of the rope.

135 *Farḥ* means *fakkah*, loosening. This last phrase was interpreted to mean *yūqās 'alayh al-bāqī*, the rest is judged by it.

136 Probably 'coils' is to be understood after 'hundred'.

137 *Shaqā*, the work and the wage for it, (al-Sayāghī). Cf. *shāqī* labourer.

138 *Sirah* is a rope for the drawing (*naz'*) of water (al-Sayāghī). Cf. C. de Landberg, *Études sur les dialectes de l'Arabie Méridionale*, I, *Ḥaḍramūt*, Leiden, 1901, 606.

139 The *amin* in certain other countries is sometimes the head of a corporation of artisans—e.g. the *amin* (pl., *umanā'*) of the dyers, blacksmiths etc., in *Qānūn bi-'l-Jazā'ir 'ala 'l-aswāq wa-ghayri-him*, (1609-1753 A.D.), no. 1378, of the Bibliothèque Nationale of Algiers, upon which we have also been working at Cambridge. *Amin*, as noted above is applied to the Prophet-the Trustworthy.

140 The *kayyāl* comes under the supervision of the Shaykh al-Sūq; he receives only his *kiyālah*, i.e. his wage (*ujrah*) for measuring.

eighth (i.e. 1/64th) on the *qadah*¹⁴¹—measure from the vendor, and half an eighth of an eighth (i.e. 1/132nd) from the purchaser.¹⁴²

(Supplementary) 289

a. Nobody but a person of known honesty (*amānah*), guaranteed¹⁴³ (*dummina*) to the Headman of the Porters (*ʿāqil al-ḥammālin*) will be employed (*yuḥammal*) as a porter.

b. The measurers (of grain) are required to carry out watch duties when the town needs. The porters along with the porters of the Firewood Market (Sūq al-Ḥaṣab) are required to perform watch duties on al-Khanādiq;¹⁴⁴ they are required also to perform watch duties at the Gates when (these) need repair and a gate¹⁴⁵ remains unlocked (*min ḡhayr taḡḥīq*)—theirs is the responsibility for watch duties upon it.

c. The lads¹⁴⁶ of the Grain Market—I mean the labourers (*shuḡāh*) (working to) the measurers (of grain) are responsible for cleansing the Market by sweeping (it), attending to it every day, and removing the sweepings from it to a place outside¹⁴⁷ far away from being trodden upon by sandals (*niʿālāt*).

d. They—I mean the measurers—are required to provide the customary fleece-lined coats of the watch to the tune of thirteen *qirsh* plus the customary collection charge on that of a *qirsh* less a quarter and half of an eighth (i.e. less 5/16ths).

15. The Salt Market¹⁴⁸ (Sūq al-Milḥ) 289

(Supplementary) 289

a. They are required to carry out the assigned watch duties (*al-ḥirāsah al-mujrāyah*) they are accustomed to perform.

b. It is stipulated that their Shaykh should be characterised by honesty (*amānah*), and without deception, a man who will scrupulously investigate (*al-taḥarri*)¹⁴⁹ the measuring out for (both) the importer (*jallāb*) and lad¹⁵⁰ of the Market (*walad al-Sūq*). If it be some other person (i.e. not the Shaykh himself) then he must maintain careful surveillance.

c. They are required to provide those fleece-lined coats of the watch which they are accustomed to do, to the tune of two and a

half *qirsh* plus an eighth of a *qirsh* collection charge on that.

16. The Raisin Market (Sūq al-Zabīb) 289

(Supplementary)

a. They are charged with the (same) honesty and lack of deception as that previously mentioned in the case of other markets.

b. The measurers (of raisins) are required to perform the customary measuring out for the importer (*jallāb*), townsman and lads of the market (alike), regarding all with the eye of impartiality.

c. They are required to pay of the remuneration (*rudūd*)¹⁵¹ to the Shaykh of the Watch for watching¹⁵² the assignment which they customarily make, and to carry out such watch duties as they customarily do when the town needs, as also (to provide) the customary fleece-lined coats of the watch to the tune of five *qirsh* reckoned out plus the collection charge on that of a quarter *qirsh*.

17. The Henna Market (Sūq al-Ḥinnā) 289

(Supplementary)

a. The Shaykh of the Henna Market is charged that he regard (both) the importer and the henna-seller (*al-muḥannī*) with the eye of impartiality when fixing¹⁵³ (and estimating) prices. He must be acquainted with the cost of a load in al-Sūdāh¹⁵⁴ so as to (be able to fix) its price in the town and he will reckon out (a rate of) profit for it depending upon the opinion at which he arrives after scrutinizing the (charges for animal) hire and octroi-tax (*jibāyah*)¹⁵⁵ that accrue to the load. After this he will assign to the lad¹⁵⁶ of the Market five *qirsh* on the *qadah*-measure, and depending upon the opinion which he has formed—(he may alter it?). If it be full of stalks (*ʿidān*) he will see what should be removed from it, and after checking that (they have been removed) he will fix a suitable (rate of) profit for him/it.

b. They are required to provide those fleece-lined coats of the watch which they customarily do, namely two and a quarter *qirsh* plus an eighth of a *qirsh* collection charge on that.

141 The *qadah*, according to Rossi, op. cit., 152, is approximately 36 litres. It is divided into 64 *nafar*. Up to some time before 1962 the following signs were used for its subdivisions:

<i>Qadah</i> —or 64 <i>nafar</i> and so also called <i>thamāniyah</i> <i>thamāniyyah</i> , i.e. eight times eight	⤵
<i>Qadah illā rubʿ</i> , three quarters	⤵
<i>Nisf qadah</i> , half	⤵
<i>Rubʿ qadah</i> , quarter	⤵
<i>Thumn qadah</i> , eighth	⤵
<i>Nisf thumn</i> , one sixteenth	⤵
<i>Rubʿ thumn</i> , one thirty-second	⤵
<i>Nafar</i> , (pl., <i>anfar</i>), also called <i>al-thumāniyah</i> <i>min al-thumāniyah</i> , The eighth of an eighth	⤵

A *qadah* less one *nafar* would be written, ⤵

This has certain similarities to the *kirmeh* notation as known to Rasūlid Yemen, and studied by Claude Cahen in our 'A fiscal survey of the medieval Yemen', *Arabica*, Leiden, Jan., 1957, IV, 1, 31, the signs for 3/4 and 1/2 being identical, that for 1/4 less close, that for 1/8th rather different, and the signs for the smaller measures not found in his table at all. The late 'Alī al-Muʾayyad first gave me a list of these signs, but Qāḍī Ismāʿīl al-Akwa' provided the details above, and he characteristically quotes a proverb, 'Fi-hi qarbat nisf al-thumn. There is the mark of the sixteenth (part of the *qadah*) on him.' This is said in detraction of a person.

A specimen of the half *qadah*, which was purchased in Ṣan'ā', bears the names of the Imāms al-Manṣūr, al-Mahdī and al-Mutawakkil, carved upon it (1139/1227 to 1224/1809). May it be inferred that the *qadah* was checked during the reign of each of these Imāms, and his name carved on the *qadah* to certify that it was a true measure? An old wooden *nafar* also purchased in Ṣan'ā' has *ḡahh*, true carved on its side.

In his latter days Imām Yahyā tried, by proclamation, to make the Ṣan'āni *qadah* the standard for all the Yemen, but still today in many centres a local *qadah* is in use. In Dhamār and Taʿizz the *qadah* is larger than that of Ṣan'ā', the Taʿizz *nafar* being equivalent to four Ṣan'āni *anfar*. Goitein, *Jemenica*, 51, no. 284, says that in Ṣan'ā' they call the *thumāni* a *rubāʿi*, so that the *rubʿ al-rubāʿi* is really a *rubʿ al-thumāni*—i.e. the quarter of a quarter is a quarter of an eighth—all very confusing! The *thumāni* is properly the *thumn* as above. The Imām al-Mahdī al-ʿAbbās (before 1189/1775), in order to stop the measurers giving defective measure (*bakhs al-kayyālīn*), gave an order concerning the measures that (have the grain with which they are filled) smoothed (level) by the hand (*makāyil al-mash*), i.e. he made a hammered iron (rim) as an obstacle (to fraud) on top of the mouth of the measure. So they used to fill the measure and smooth (it level) over the iron

(rim), and there was no short measure (*taḡḥīf*, see f.n. no. 78) to the purchaser.' (*Nashr al-ʿarf*, II, 215.) The year 1321/1903-4, when Imām Yahyā besieged the Turks in Ṣan'ā' was called *Sanat al-Nafar* because during the famine that ensued in the city a *nafar* of grain rose to a *riyāl*.

142 *Al-Amḥāl al-Yamāniyah*, I, 207, no. 575, says the purchaser takes away the grain he has bought in a leather bag (*masabb*). Cf. *Jemenica*, 50, no. 277, 118, no. 866.

143 He must be guaranteed by another person already known to the *ʿāqil*.

144 Al-Khanādiq, also called al-Manāshir, are described by al-Sayaghī as the openings in the town wall from which the flood (*sayl*) comes out after rain. The name is applied to that part of the wall borne on arches the pillars of which have triangular stone breakwaters (*mirzaf*) to lessen the drive of the flood against them, which crosses the flood-bed al-Sāʿilah—there are two al-Khanādiq, one on the south side where the flood enters, and one on the north from which it emerges. I was also told that this applied to the old metal grill at these apertures placed there to stop thieves entering the city at night. The name ought to mean 'the Ditches/Moats' but it appears not to do so here.

145 Lit., the Gate.

146 Here the word lad seems only to mean a young boy (*ṣabīyy ṣaghīr*), but elsewhere in the *Qānūn* it appears simply to mean the market folk.

147 *Al-muntazah* fi 'l-barriyyah—here *muntazah* should mean a distant place, and *barriyyah* means *al-barr* the country outside Ṣan'ā' town.

148 For Sūq al-Milḥ see pp.248-9. A Sūq al-Mallāhin, Salt-sellers' Market, is mentioned by *Nashr al-ʿarf*, I, 349, but whether this is to be identified with Sūq al-Milḥ is not known.

149 Explained as *yudaqqiq fi ḡabt al-maqāyis wa-l-makāyil*, he will take minute care over investigating/controlling measures.

150 The *walad al-Sūq* here must mean market folk trading in salt. Charles Millingen, *Notes of a journey in the Yemen*, 121, says that in 1874 rock-salt from Mārib was chiefly used at Ṣan'ā' and the uplands of the Yemen. In 1064/1653-4, says al-Jarmūzī, 103, the travelling with salt from Mārib was cut for about four months and the Ṣan'āni *qadah* rose to ten *ḡurūf*.

151 *Rudūd* is thought to mean a fee (*ʿayid*) but the word was not precisely known to Qāḍī Ismāʿīl and others.

152 The text seems corrupt here, and *jirāyah* must in any case be read for *jirābah*.

153 *Tathmīn*, colloquial for *tathmin*, means *taqzīm wa-taḡḍīr al-si'r*.

154 Al-Sūdāh of the region north of Ṣan'ā' and west of Khamir.

155 Qāḍī Ismāʿīl thought, though he was not certain, that the *jibāyah* meant dues payable to the Sūq, i.e. to such persons as the ʿAqil al-Sūq or the Shaykh al-Layl.

156 The ordinary henna retailer appears intended here.

18. The Qāt¹⁵⁷ Market (Sūq al-Qāt) 290

The price of each bundle (*ribḥah*)—for good quality Shabraql¹⁵⁸ (*qār*), free of stalks—along with the packaging (*tashjūr*)¹⁵⁹ is an eighth of a *qirsh*,¹⁶⁰ its weight being ten *ūqīyyahs*. In *Ṣan'ā'* the *qāt*-sellers (*maqāwīṭah*)¹⁶¹ who purchase a (bundle) receive a *buqshah* and a half (profit) on each bundle in *Ṣan'ā'*. Middling and poor quality *qāt* (will fetch a price) depending on how the man of integrity (*al-'adl*)¹⁶² selected by the importers and the *qāt*-sellers evaluates it (acting) in conjunction with the Shaykh of the *qāt*-sellers.

(Supplementary) 290

a. In this time of ours a pair—two bundles of *qāt*—the finest of the bales of bundles (*barākīs*)¹⁶³ brought¹⁶⁴ from the owner of the *qāt* (plantation ?)¹⁶⁵, the price of the pair from the bales of bundles being eight *buqshahs*, plus half a *buqshah* fee (*ujrah*) to the town, plus half a *buqshah* in respect of (*qubāl ilā muqābil*)¹⁶⁶ the tithe on the bales of bundles, plus (packing of) *'uthrub*¹⁶⁷ (leaf) and a saddle-bag, plus a *buqshah*, the profit of the *qāt*-seller—the price of the (said) pair (of bundles) for the man in *Ṣan'ā'* comes to an eighth of a *qirsh*. So the right price to the consumer (*al-mutamariqih*)¹⁶⁷ for a (single) bundle of the best *qāt* is half of the eighth (of a *qirsh*).¹⁶⁸ Middling quality *qāt* will fetch the price at which the expert man of integrity responsible (*al-'adl al-mukhtabir al-mu'ahhad*) evaluates it.

b. They are required to provide for such of the fleece-lined coats of the watch which they customarily do per annum, namely three *qirsh* plus a quarter *qirsh* collection charge on that.

19. Grapes and Similar Fruits 290

i. Eight persons, men of integrity (*'udūl*), honest (*umanā'*), chosen persons, undertake to distribute them¹⁶⁹ and settle the price for the people, and are entitled to the customary fee.

ii. None of the lads of the Market will take anything coming to the Market until after late afternoon¹⁷⁰ when people have fully satisfied their requirements.

(Supplementary) 290

a. (In the case of) such fruits as mulberries (*tūt*), citrons (*utrujj*) lemons, pomegranates, and other things previously mentioned, the lads of the Market may not buy until after the full satisfaction

157 See the discussion of *qāt* on p. 169 seq.

158 My collaborators did not know of this kind of *qāt*.

159 Explained as *taghlīq*, binding of a bundle.

160 Qāḍī Ismā'il said an eighth of a *qirsh* worth of *qāt* would cost twenty *qirsh* today (1972).

161 *Maqāwīṭah*, sing., *muqawwīt*. An unpublished proverb of the Qāḍī's collection runs, '*Shimāl al-muqawwīt wa-lā yamīn-ah*, The left hand is to be preferred to the right hand of the *qāt*-seller.' This is explained as when the *qāt*-seller divides a *ribḥah* in two and invites you to choose, he probably puts the larger half in his left hand.

162 The *'adl* is said to mean the *muṣliḥ*, cf. p. 162b, seq. One speaks, e.g. of '*'udūl al-qariyah*, the trustworthy persons of the village.

163 *Barākīs* is a collection of bundles (*ribāḥ*) packed in an oval form among fresh branches of the *'uthrub* to preserve the *qāt*'s freshness. The *maqāmah* which I was editing in 1972, entitled *Tarwīḥ al-awqāt fi 'l-muṣakkarah bayna 'l-qahwah wa-'l-qāt* of Ahmad b. Muḥ. al-Mu'allimī, has Coffee address Qāt, '*Wa-laffū-ka fi lafā'ifi 'l-summāq*, They have wrapped you up in wrappings of *summāq*.' The *summāq* is the same as the *'uthrub* which Muḥ. Muṣṭafā al-Dimayṭī, *Mu'jam asmā' al-nabā'āt*, Cairo, 1966, 75, calls *Rhus coriaria* L., tanner's sumach.

164 *Yujbā*, i.e. *yuhḍar*, but *jabā* can mean to take *jibāyah*, a duty or tax.

165 The *mālik* might just possibly mean the man who brings *qāt* from the plantation to the town.

166 *Ilā muqābil* simply means *muqābil*; *qubāl* means *muwāḥiḥ li-'l-wajh*. The compound expression is regarded as weak or loose.

167 *Gloss. daḡ.*, 2690, *tamarqah*, to relax in drinking coffee. In the Yemen a *mutamariqih* is one who *yikhazzin al-qāt*, chews *qāt*. Cf. *Jemenica*, 126, no. 917, '*Kull marāqih qūl la-'l-qurs*, *Yā Sidi*, Every luxury says to the round of bread, My Master.'

168 The arithmetic of this is—2 bundles cost 8 *buqshahs*
Town tax ½
Tithe etc. ½
Profit 1
Total 10
1 bundle costs 5 *buqshahs*

Five *buqshahs* make an eighth of a *qirsh*.

Qāt used to be taxed on the tree and on entering the Sūq. Now it is only taxed on the tree.

169 I.e. distribute them to the purchasers.

of the requirements of the people of the town. They will (be allowed) to buy them only at the evaluation the men of integrity (*'udūl*) have made in the presence of the Shaykh of the Market. They are sold at the price the Shaykh of the Market fixed for them so that he may settle (the rate of) profit (allowed) on them in accordance with the amount at which he valued them (when bought from ?) the importers.

b. They are required to carry out such watch duties as they customarily do when the town needs, and they are required to meet the due (*haqq*) they customarily pay for the fleece-lined coats of the watch—seven *qirsh* ready money per annum, plus half a *qirsh* collection charge for that.

20. The Meat Market (al-Majzarah) and the Dealers (al-Muṣliḥin) in the Sheep-and-Goat¹⁷¹ Market (Sūq al-Ghanam) 291

i. The purchase of (live) sheep-and-goats is made from day to day (*kull yawm bi-yawmi-hi*), and butchers are prohibited from purchasing sheep-and-goats for a day following. Any sheep-and-goats brought to the Market (*al-jalb*) remaining (unsold) remain in the hands of the importer (*jallāb*). Buyers (*muḥawidīn*, middlemen¹⁷²) are prohibited from taking sheep-and-goats from the Market—through which overcharging¹⁷³ could result.

ii. For slaughtering an animal the butcher (*jazzār*) receives the skin and head only.¹⁷⁴

iii. The Shaykh of the Town must inspect the sale of beef (*laḥm al-baqari*) every week (*wa'd*).¹⁷⁵ The evaluation¹⁷⁶ of the cattle will take place under his supervision, the Shaykh of the Butchers and the Headman of the Dealers (*'Aqil al-Muṣliḥin*) attending with him.

iv. The butchers' charge for slaughtering sheep-and-goats at the Feast of the Sacrifices (*'Id al-Naḥr*) on 'Arafah¹⁷⁷-day—for a large animal (*rās*) the charge is an eighth and half an eighth (i.e. 3/16ths) of a *qirsh*, for a middle-sized animal an eighth of a *qirsh*, and for a small one five *buqshahs*.

v. The Dealers (*muṣliḥin*) in the Sheep-and-Goat Market are sixteen (in number)—of these honesty (*amānah*) and lack of deception are stipulated. It is their duty to send the vendor of the sheep-and-goats to the Clerk of the Market (*Kātib al-Sūq*) to

170 *Ṣan'ā'* townsfolk buy their grapes direct from the *jallāb* who brings them to the town, and it is only after the late afternoon (*'aḥr*) that the retailers can buy. H. Burchardt, (*Aus dem Yemen*, ed. E. Mittwoch, Leipzig, n. d., 64) says that the grape-sellers come from al-Rawḍah and put down their load (*hamūlah*) at Sūq 'Aqil and the purchasers (*mishtariyin*) come and buy from them the grapes from the top part of the basket because the good grapes are always on the top of it. This is in Turkish times.

171 As *ghanam* means both sheep and goats, these two words have been hyphenated to convey this.

172 A *muḥawid* is one who buys from the *jallāb* to sell to the consumer. The *jallāb* is a *mustawrid*, importer.

173 *Al-mughālah* fi 'l-si'r—the sense is—lest the prices rise high.

174 Butchers were given nothing for the slaughtering but the head and skin from ancient times, as can be deduced from the Islamic Traditions (*ḥadīth*). This was the case even when they came to a private house in *Ṣan'ā'*, but now (1972) they usually do also get a little money over and above these perquisites. The 3rd/9th century *Zaydī* manual of *ḥisbah*, of Uḡrūsh, 20, prohibits the butchers at the Aḥḥā Feast from accepting the skins or part of the meat of a beast sacrificed as part of their fee. In north Yemen the carcass of the bull/cow is slung under a tripod of three wooden poles which has been lowered flat—the tripod is then raised and the cutting up of the animal commenced. The tripod is called *sibah* in *Ṣan'ā'* and *shar'ah* in Ta'izz. An unpublished proverb of the Qāḍī's collection runs, '*Al-sibah mā tirkab illā 'alā thalāth*, lit., the *sibah* rides only on three.' *Gloss. daḡ.*, 2007, derives it from the Persian *sih pā*, three feet. Cf. *Tarjī' al-ayyār*, 396, for a verse and comment on *sibah*. *Al-Amūhāl al-Yamāniyah*, I, 74, no. 214, gives the Tihāmāh variant of a very ancient proverb, '*Idhā ta'allaqan (ta'allaqat) al-jazarah tikthir al-sakākin*. When the slaughtered beast is hung up the knives are many.' A variant is '*Lā uqira 'l-ithawr kathurāt al-sakākin*.'

175 Cf. Ibn al-Mujāwir, *Tarikh al-Muṣṭashir*, 191, *uwa'ada* to go to the market every week; C. Löfgren, glossary to *Arabische Texte*, (Abū Makhramah) for *wa'd*, *Gloss. daḡ.*, 2928. Khazraji, *al-Uḡūd al-lu'lu'iyah*, text, II, 198, says under the events of 790 H. (1388 A.D.), 'In the latter half of Shawwāl the Sultan's edict (*marṣūm*) came out that the *wa'd* of Zabid should be on the Thursday, for its *wa'd* and market used to be on the Friday.' Cf. *Tarjī' al-ayyār*, 239, for comment on *yawm al-wa'd*.

176 *Taqwīm* usually means *yūqaddir al-si'r*, to evaluate, but the Qāḍī thought it meant here *fahḥ-hā*, scrutinising them.

177 The Feast of the Sacrifices, al-'Id al-Kabir.

acquaint him with how much the price is. Anyone against whom there is evidence of deception or tricks (*khida'*) or over-charging or shortcomings must pay a fine (*qasāmah*)¹⁷⁸ to the Treasury (Bayt al-Māl).

vi. The charge for settling the deal (*ṣulḥah*) (over an animal) is two *buqshahs* from the vendor and a *buqshah* from the purchaser. On a small lamb (*qūzi*)¹⁷⁹ the vendor is charged a *buqshah* and the purchaser half a *buqshah*, but the Šan'ā' townsman pays no dealer's charge (*ṣulḥah*) on what he buys on other¹⁸⁰ days.

(Supplementary) 291

a. They must wash the wooden boards (*ṣurūf*)¹⁸¹ and blocks (*maḍrab*)¹⁸² (for displaying and chopping up meat) each day.

b. It is the responsibility of the Deputy¹⁸³ (Nā'ib) to observe them carefully at the Scales (al-Mizān)¹⁸⁴ and to inspect what they have slaughtered at the time it is weighed, recording¹⁸⁵ it (in the Market Book¹⁸⁶ (*Daftar al-Sūq*)) and noting into what category it falls—male (*fahl*) or ewe or goat (*mi'zā*).

c. Anyone disobeying any of this is liable to punishment (*'iqāb*).

d. They are responsible for removing the bones from the Meat Market and what lies in front of it, the responsibility herein being upon the Deputy of the 'Āmil.¹⁸⁷

e. Anyone who makes a deal (*aṣḥāḥ*) for a butcher in excess of what he slaughters in a single day (*fi yawmi-hi*) is liable to punishment, since this leads to loss of the importers' goods. Whatever loss the importer incurs that can in no way possibly be recovered, will be rectified (by deduction from) the income (*ma'āsh*) of the dealers (*muṣṭahin*).

f. They are required to carry out such watch duties as they customarily do when the town needs, and they are required to provide for such of the fleece-lined coats of the watch as is customary, thirty-two *qirsh* per annum plus two *qirsh* collection charges on that.

21. The Firewood Market¹⁸⁸ (Sūq al-Ḥaṭab) 291

i. Buyers (*mufāwīdīn*) (purchasing direct from importers) who are a cause of damage (*taghyir*)¹⁸⁹ to the Market and lead to firewood being dear, and persons going out to intercept firewood being imported shall be suspended.

ii. Firewood shall be sold only in its accustomed Market. Anyone who sells it outside its own Market shall be imprisoned and liable to punishment;¹⁹⁰ the purchaser shall also receive such punishment as the Governor (Dhu 'l-Wilāyah)¹⁹¹ considers fit.

178 *Qasāmah* was rendered as *gharāmah*, a fine, *ta'wīd*, compensation.

179 *Qūzi*, pl., *qawāzi* (Rossi, *L'Arabo*, 160) from Turkish. In Ibb, *qūzi* means a large stone, and in Šan'ā' it means a *kabsh*.

180 Other days, not on feast days. *Ṣulḥah* is to be read for the text's *maṣḥāḥ*.

181 *Ṣurūf*, pl., *ṣurūf*, wooden boards upon which meat is laid for display. Cf. p. 234a.

182 The *maḍrab*, pl., *maḍārib*, called a *jizfah* in Dhamār, is a thick (*samīk*) block of wood, usually a *jidh'* or (section) of tree-trunk, upon which meat is chopped.

183 The Deputy would be the *'uqqāl* (headmen) or shaykhs of the butchers.

184 See p. 162a.

185 *Raṣāda-hu*, meaning *sajjala-hu*, or *qayd-ah*, writing it down.

186 This would be kept by the clerk of the Market. See p. 189b.

187 'Āmil looks to me like a misprint for 'aqīl, since the 'Āmil of Šan'ā', the Governor, would be too elevated a person in all to have any direct responsibility for so menial a duty. Today the actual slaughterhouse (*Majzarah*) is outside Bāb al-Yaman, but on the old Ottoman Turkish map a *qasāb-khānah*, a butcher's shop, is marked in Sharārah, the square west of Bustān al-Sulṭān. *Nashr al-'arf*, II, 959, alludes to going to get meat at Bāb al-Yaman.

188 Today (1973) firewood is cut in Dhū Muḥammad country between al-Barāṭ and the border east of al-Ḥarf and disposed of by the local people. Some probably take it to Šan'ā'. They pay nothing for cutting the wood.

189 Qāḍī Ismā'il said this would alter the organisation (*niẓām*) of the Market and lead to a rise in prices.

190 *Āḍab* means a fine, *gharāmah*.

191 This means the *hākim* or the 'āmil, *ṣāhib al-sulṭah*, the authority.

192 Goitein, *Jemenica*, 169, no. 1319, from Jewish informants, states that firewood grows in Bilād Anīs in ground belonging to no-one (*fawā'ish*, seemingly another pl. of *ṣaysh*, pl. *fuyush*. *Gloss. dat.*, 2445). The tribes bring it in long caravans to Bāb al-Balaḥ (i.e. near Qā' al-Yahūd). A *muṣṭah* (*muṣṭah*) manages the sale of it. A *buqshah* (by this period 1/40th of a *qirsh/riyāl*) goes to the authorities, and the middleman receives a *buqshah* also. The tribesfolk must leave a pledge (the dagger) before obtaining permission (*fakk*) to sell (*yiqaffirū*); they pay the tax later.

In effect the dealer's charge is the same in the *Qānūn* itself, since the rate of *buqshahs* to the *qirsh* at that time was eighty but in the 1930's it was only

iii. The dealer's charge (*ṣulḥah*) on a large load shall be two *buqshahs*¹⁹² from the vendor instead of (his charge being paid in) wood. It is prohibited that wood (*ūd*) be taken (in lieu¹⁹³ of the dealer's charge) since this involves much unfairness (*ẓulm*) to the vendor. The purchaser pays two *buqshahs* as dealer's charge.

iv. (The dealer's charge) on a small load shall depend upon what the Clerk of the Market considers appropriate. (The charge on) a donkey (*bahimah*) load shall be half of that on the load of a small camel,¹⁹⁴ and be dependent on what the Clerk of the Market considers appropriate.

v. The dealers (*muṣṭahin*) in the Firewood Market consisting of persons known for their honesty and lack of deception are sixteen persons (in number).

(Supplementary) 292

a. They are required to carry out the assigned watch duties (*al-ḥirāsah al-mujrāyah*)¹⁹⁵ they are accustomed to do, and the same watch duties, at need, on the Gates and al-Khanādiq as the porters of the Grain Market are obliged to perform. They are required to provide for the fleece-lined coats of the watch to the tune of a quarter *qirsh* plus an eighth of a *qirsh* collection charge on that.

22. The Cattle¹⁹⁶ and Donkey Market (Sūq al-Baqar wa-'l-Bahā'im) 292

(Supplementary)

a. Honesty (*amānah*) and lack of deception are stipulatory on the dealers (*muṣṭahin*), and they must acquaint the vendor with the purchaser.

b. On the large head of cattle (the vendor is charged) a quarter *qirsh*, and the purchaser contributes an eighth of a *qirsh*.

c. The purchaser of a ploughing bull (*al-fahl al-ḥārith*) has the right to try out the action of ploughing¹⁹⁷ in one of the gardens. If no trial takes place on one of the gardens he has the option (to rescind the sale). Similarly (he has the right) to test how it feeds. (In the case of) a cow the purchaser has the right to test how it milks and how it feeds (*al-ḥalbah wa-'l-aklah*).¹⁹⁸

d. If he purchases a female calf (*bahmah*) which has not yet calved, and at parturition some defect (*'ayb*) comes to light such as kicking (*al-rakḍah*),¹⁹⁹ or she does not separate from her calf,²⁰⁰ or any other defect (*'ayb*) that comes to light at parturition, the purchaser has not the right to return (her to her vendor) on account of this defect, since the vendor was unaware of it.

forty.

Al-Sayāghī (p. 237) says that each sort of firewood has a fixed measure (presumably in those times) and price assigned to it. Of firewood in general he states, 'Even for small bundles (*ḥuṣam*) of firewood they set a standard measure (*mi'yār*)—a hoop (*ṭawq*) of iron, and appointed a statute (*sannū qānūn-an*) for it (the measure) in accordance with which the decision about the price-fixing (*ḥukm al-tas'ir*) should be exercised for any sort of bundle of any kind of firewood.'

193 *Ilā muqābil*, is explained as *badal-an*.

194 This could be interpreted as 'the small load of a camel'.

195 This was said to mean *alladhī yarjī/yujrā 'alā ghayri-him*, which are assigned to others.

196 The Sūq al-Baqar is stated by *Masājid Šan'ā'*, 51, to be near Masjid Dāwūd.

The Sūq al-Bahā'im and al-Jabbānah haqq 'Alī al-Manṣūr, are said to be ancient, the base being Ghamdān castle (*qadīm—al-aṣl Ghamdān*). This latter is often called Sūq Ḥārat al-Jabbānah—in it is the Akamat Sūq al-Qaḍāb, the Hillock of the Lucerne Market—this is also called Sūq al-'Irj (*'irj = bahā'im*, donkeys). They speak also of the site as al-Qaṣr al-Mashid (*Qur'an*, XXII, 44). It certainly seems to be a mound of debris. A *jabbānah* is used in the same sense of an open space or tract of land in northern Yemen. The Lucerne Market has, or had, animals unfit for work standing about it (1972). There is a *waqf* for their fodder (*'alaf al-qurāsh*), but free gifts of this are also made by the fodder-dealers there.

197 Qāḍī Ismā'il's unpublished proverbs include, '*Khubr al-baqar tiḥi al-aḥāj, mā khubrā-hā fi 'l-hawīyyah*, The decision about the quality (*aṣḥāḥ*) of cattle is not in how they look, but when they are set to ploughing, —lit. 'The testing (*khubr* or *makhbar*) of cattle is under the yokes, their testing is not in the courtyard (*ḥawsh*).' Cf. Rossi, *L'Arabo parlato*, 65; Goitein, *Jemenica*, 67, nos. 419, 1251, *Al-nās makhābir*.

198 *Aklah*—testing the animal to see if it is eating its feed (*waḥbah*).

199 *Rakḍah*—kicking while being milked. Cf. Dozy, *Supplément*, *rakḍah coup de pied*. For defects (*'ayb*) in horses, cattle, sheep and mules, see *al-Baḥr al-zahhār*, II, 357, seq.

200 Retaining the placenta, in which case the animal would die.

e. The purchaser of a female donkey²⁰¹ (*atān*) has the right to try out its walk (*sayr*), and he has the right to return it on account of the statutory defect specified in *sharī'ah* law (*al-'ayb al-shar'ī*).²⁰²
 f. The dealer (*muṣliḥ*) is entitled to the dealer's charge (*ṣulḥah*) as in the previous case with cattle. When anyone whose right (to exercise) the option (to rescind a sale) has been established fails to find the vendor, the dealer (*muṣliḥ*) is responsible for getting the vendor to return the price paid.

23. The Camel Market²⁰³ (Sūq al-Jimāl) 292

(Supplementary)

a. What is obligatory in (the case of) cattle is also obligatory in this case.
 b. The purchaser has the right to (exercise) the option over an animal accustomed to (?) carrying loads (*muḥammāl*), and to test cud-chewing (*al-jarrah*)²⁰⁴ and wind (*al-kabdah*);²⁰⁵ and there is the customary dealer's charge (*ṣulḥah*).
 c. The Cattle and Donkey Market is required to pay such returns (? *radad*)²⁰⁶ as they are due to the Head of the Watch (Shaykh al-Ḥaras), and they are required to provide watchmen (*ḥurrās*) in accordance with the customary requirement by the town. They are required to provide what they customarily do for the fleeced-lined coats of the watch to the tune of nine and a half *qirsh* plus a *qirsh* collection charges on that.

24. The Horse and Mule Market²⁰⁷

(Sūq al-Khayl wa-'l-Bighāl) 293

(Supplementary)

In it the dealer (*muṣliḥ*) is subject to certain recognised conditions. He may not conclude a deal (*yusliḥ*) until after the farrier's (*biṣṭār*)²⁰⁸ inspection (of an animal) to acquaint him with (any) defects (*'uyūb*), and until after it has been ridden if it be a riding beast, and after trying it out in the standings (*marābiṭ*).²⁰⁹

25. The Fodder Market (Sūq al-'Alaf) 293

The dealers (*muṣliḥ*) in it shall be ten persons, and the sale of fodder shall take place in its customary original²¹⁰ (*aṣlī*) Market, selling it elsewhere being prohibited. Anyone who disobeys what we have said will be liable to punishment and suspension.

26. Porters, Wood-Choppers and Water-Carriers (*al-Ḥammālīn wa-'l-Mafāliqah*²¹¹ wa-'l-Saqqāyīn) 293

i. Porters in the Fodder Market—the charge for a net full of

straw (*al-shabakat al-tibn*) a donkey carries is one *buqshah*. The charge for a man who carries a net (*ma'arah*) full of straw is also one *buqshah*.

ii. Tobacco (*tunbuq*) porters—the charge for a load (*'idlah*) of a large camel is four *buqshahs* from the vendor and the same from the purchaser.

iii. The porters of the Coffee-husk, Ghee, Oil, etcetera, Market—the wage of a porter who carries a load from al-Ḥalaqah²¹² to the warehouses (*samāsir*) of al-Ḥalaqah is two *buqshahs*.

iv. The wage of a porter who carries a load (*'idlah*) of cloth from²¹³ the wholesaler (*al-mubtā'*²¹⁴ *al-kabīr*) is four *buqshahs*, and the payment to the warehouse proprietor (*samsarī*) is four *buqshahs*.

v. The wage of the porter who carries (goods) from the warehouses (*samāsir*) to the Scales (*al-Mizān*) is two *buqshahs* from the vendor and two from the purchaser; the (cloth) goes back to the warehouse or to the purchaser's shop. The wage of the porter who carries (goods) from al-Ḥalaqah to the warehouses in al-Ḥalaqah is one *buqshah* on every load (*'idlah*). The wage of the porter who carries (goods) from al-Ḥalaqah to the Samsarah of Sidi Muḥammad b. al-Ḥasan,²¹⁵ God rest him, and the warehouses of the Grape Market is two *buqshahs* on each load (*'idlah*). The wage of the porter who carries (goods) from al-Ḥalaqah to the Oil Warehouse (Samsarat al-Saliṭ),²¹⁶ the Samsarat al-Ṣawra'ah,²¹⁷ and the Samsarat al-Shumāh²¹⁸ is two and a half *buqshahs* on each load (*'idlah*). He who carries (goods) from al-Ḥalaqah to the Samsarat of the Shaykh Ḥmad al-Ḥājī²¹⁹ and the Samsarat Murid receives three *buqshahs* on each load (*'idlah*), and so, proportionately.

vi. The wage for (carrying) iron—he who carries a load (*'idlah*) to beside the Scales (*ilā taḥt al-Mizān*) (gets) three *buqshahs* from the vendor and three *buqshahs* from the purchaser for carrying back (to his place).

vii. The porter of the Firewood Market—the wage of the porter who carries (firewood) from the Firewood Market to the outskirts of the town is four *buqshahs*, plus four *buqshahs* for splitting it (*taḥlūq*). This is on the complete load (*al-ḥiml al-jam'*),²²⁰ the Badawī²²¹ load, the Nihimī load,²²² and the Mashriqī (load)—two *buqshahs* for portage plus two *buqshahs* for splitting.

If it be equal to the Badawī load in bulk it has its own assessment (*ḥukm*).²²³ The wage of the porter who carries (firewood) to the middle of town is three *buqshahs* for labour and splitting (*shaqā wa-taḥlūq*).

201 The Rasūlid monarch al-Malik al-Mujāhid (ruled 1321-62 A.D.), *al-Aqwāl al-kāfiyah* . . . , Brit. Mus. Supplement, 816, fol. 117 b., says that 'the best donkeys are the Egyptian, then the Yemeni (donkeys) and of these latter the Ṣan'ānī donkeys are larger in frame (? *akbar khuluq-an*), stronger to carry loads and ascend mountain passes (*'iqāb*), abler to endure the rough ground on account of the hardness of their hooves, but the largest of them tend to be stupid.' The Tihāmah donkey is slighter in build, and the Zabid donkey is mentioned. He also remarks (fol. 113 b.) on Abyssinian donkeys.

202 The *sharī'ah* allows, under certain conditions, defective goods to be returned to the vendor. Cf. al-Imām al-Mahdī Aḥ. b. Yahyā al-Murtaḍā, *K. al-Azhār fi fiqh al-a'immat al-aḥbār*, Beirut, 1973, 159, for a brief account of this, and *al-Baḥr al-zakḥkār*, III, 358 seq.

203 Al-Malik al-Mujāhid, op. cit., 118a-122a, gives the names of the various breeds and localities from which camels come. Nubian camels are named as imported from Sawākin. See f.n. 199.

204 *Gloss. dat.*, jarrah, ruminer.

205 Qādī Ismā'il thought *kabdah* would be an obstruction or choking in the throat, but *Gloss. dat.*, has *kabida*, être hors d'haleine, être essoufflé.

206 A word not apparently known, but cf. *rudūd*, f.n. 151.

207 Al-Malik al-Mujāhid, op. cit., fol. 115 a, considers that the best mules are those imported from al-Ḥabashah, Abyssinia. His treatise, of course, deals mainly with the horse.

208 This pronunciation was given me for the more standard *bayṣār*.

209 Lit. tethering place.

210 There may have been branches of this market elsewhere in Ṣan'ā'.

211 *Mufalliq*, pl., *mafāliqah*.

212 As already stated (f.n. 102) al-Ḥalaqah was the place where all goods arriving in Ṣan'ā' were unloaded. There are many *samsarahs* in its vicinity.

213 Reading *min* for *fi*.

214 Qādī Ismā'il, understands this as *al-mabī' bi-'l-jumlah*.

215 This is the famous *samsarah* which al-Jarmūzī, op. cit., 556, seq., tells us was founded by Muḥammad b. al-Ḥasan b. al-Imām al-Qāsim, a nephew of

the Imām al-Mutawakkil, some time before his death in 1079/1668-9. His biography is to be found in al-Shawkānī, *al-Badr al-tālī*, II, 159. It was used as a sort of store (*mustawḍi'*) of property/money (*māl*) but looted by the tribes in 1948 and still closed and not accessible. Those who had put their goods there thought that it would not be plundered, and it is said many people were killed there. See pp. 104a, 278a seq.

216 The Oil Samsarah is now called Samsarat al-Baw'ānī, and is in Sūq al-Miṣṣāṭah. It was open in 1972 but in 1974 it appears to be closed.

217 Samsarat al-Ṣawra'ah is no longer known—at least under this name.

218 Samsarat al-Shumāh is said to exist and be near al-Ḥalaqah.

219 No information was forthcoming about the Samsarat Ḥmad al-Ḥājī, but Murid was said to exist under a different name. As the *samsarahs* appear to be commonly known by the name of the proprietor of the day identification of these places is not easy, but were it possible to study the *waqf* records one might perhaps know more about the history of the *samsarahs*.

220 Explained as *al-ḥiml al-kāmil*.

221 Niebuhr, *Description*, 334, notes that firewood is dear in the Yemen, and no less so in Ṣan'ā', taking two to three days to arrive there. In his time a camel-load cost two *écus* (dollars). Sometimes coal is used, but of a poor quality.

The Badawī load was said to come from al-Mashriq (the eastern part of the northern Yemen, al-Maghrib being the corresponding area on the west). Qādī Ismā'il says that the tribes speak of 'Mashriq Allāh ḥayth im-raghādah wa-'m-jamāl wa-'min al-sharaf aṣlī wa-faṣlī, The Mashriq of Allāh where is affluence and loveliness (in women), honour and wealth.' A proverb runs, 'Fulān aṣlu-h faṣlī, So and so has both honour and wealth,' (*jama'a 'l-sharaf wa-'l-tharā'*). *Faṣlī* seems to mean *tharīyy*, wealthy, and by *aṣlī*, 'arīq, noble, is intended. There is however a contrary view! Goitein, *Jemenica*, 13, no. 61, quotes, 'Ilā sallam 'alayk al-Mishriqī 'addayt aṣābi-'ak, If the Mashriqī greets you, then count your fingers (to see if any are missing).'

222 One sees strings of camels bringing down firewood along Wādī Sirr from Nihim to Ṣan'ā'.

223 *Ḥukm* is explained as *i'tibār khāṣṣ*, special consideration.

viii. The water-carriers²²⁴ wages and cost of water—for a short distance half a *buqshah*—the price of a skin (*qirbah*) (of water) for a middling distance is two thirds of a *buqshah*—the price for a skin for a long distance is a whole *buqshah*. Anyone who hires a water-carrier for a whole month—his reckoning (*hisāb*) will be after this pattern. If the water-carrier receives mid-day and evening meals (*'ashā wa-ghadā*)²²⁵ half of the wage is deducted to compensate for that. This is in the houses in al-Qaṭī²²⁶ (Quarter) in the town—they being known.²²⁷

27. Craftsmen and Workmen (*Aṣḥāb al-Ḥirāf wa-Ahl al-A'māl*) 294

(Supplementary) 294

a. Dyers and butchers (*ṣabbāghīn, qaṣṣābīn*)—they must adhere to the regulations (*qawā'id*) in their hands which (emanated) from the governors (*ḥukkām*).²²⁸

b. They are required to provide the customary fleece-lined coats for the watch to the tune of three and an eighth *qirsh* plus the customary collection charge,²²⁹ and they are required to carry out the watch duties they usually do when the town needs.

(Supplementary)

a/b. The Head-wraps Market (*Sūq al-Maṣāwīn*)²³⁰—action to fix the price of their manufactured goods (*tas'ūr bi-ḥā'ati-him*) such as head-scarves and *rizah*²³¹ is the responsibility of their Shaykh entrusted (with the matter), and the men of integrity (*'udūl*), one from the weavers (*ḥawāk*) and one from the Market of the Scarf-Makers, chosen to test indigo²³² (*nīl*). They must adhere to the regulations (emanating) in a succession from the learned governors (*al-ḥukkām*)²³³ al-a'lam).

b/b. They are required to provide the fleece-lined coats of the watch which they customarily do to the tune of twelve and a quarter *qirsh* plus an eighth by way of collection charge.

224 Till very recently, water carriers drew water from al-Ghayl al-Aswad near Dār al-Shukr, and from a place at the south east corner of Bustān al-Sulṭān, outside the walls. This water was only for domestic purposes, not for drinking. Ghayl al-Bāshī at Bāb al-Salām had sweet water (*mā ḥilū*) from Jabal Nuqum, used for drinking. Bāb al-Salām is east of Bāb al-Yaman. H. Burchardt, *Aus dem Jemen*, tafel XI, shows, in 1909, a San'a' water-carrier with two skins.

225 'Ashā would consist of a round (*qurṣ*) of bread, and *ghadā* of bread with some sort of relish (*idām*).

226 The Qaṭī' area of San'a' (for which see p. 125a) has houses in which there is no water fit for drinking (*ṣāḥiḥ li-l-shurb*). Most houses in San'a' have wells but some are not used for drinking water. According to al-Rāzī (5th/11th century), 96, every dwelling had a well or two, and a garden with various kinds of sweet-smelling herbs (*rayāḥīn*).

227 It is unclear whether this word (*ma'rūfah*) applies to the houses or the wells.

228 Qāḍī Ismā'il thinks the *ḥukkām* would be the Mashāyikh al-Ḥirāf, Shaykhs of the Crafts, i.e. of the Dyers and Butchers, but I wonder if it might in fact refer to the governor appointed over the city as a whole.

229 The text has here *siyāqah* for the *siyāq* of the other entries.

230 The *maṣṭawān* was described in San'a' as a *ridā'* *ka-l-miqāb* used by country women to cover their heads. It is a word known to the Yemen from at least medieval times.

231 Reading *rizah* for *rirah* of the text with *Nashr al-'arf*, II, 570, which speaks of a Sayyid wearing a turban of cotton—a coarse one of the weaving of San'a' which they call *rizah* at the Feast—a turban which his father and grandfather had worn. This is dated before 1084/1673.

232 Indigo was widely worn by Yemenis till perhaps some sixty years ago as can be seen in W. B. Harris, *A journey through the Yemen*, London-Edinburgh, 1893, 268. It was commonly worn in the tribal districts of the former Aden Protectorates though of recent years this had considerably lessened. In Ṣabāḥī village of the district south of Yarīm in December, 1974, at 'Id al-Nahr, I saw an old woman with a newly dyed indigo frock and head-dress, but younger women only wore indigo head-bands not indigo-dyed dresses. One sees tribesmen in San'a' from time to time with indigo-dyed turbans, but San'a'is do not wear it, and Sayyids and Qāḍīs seem never to have used it at all. It is therefore exceptional in the eyes of the author of *Ghāyat al-amānī*, 814, that the Imām al-Qāsim b. Muḥammad (ob. 1029/1620) at his lofty mountain capital at al-Shahārāh, should wear *al-qamiṣ al-shuqqah al-sawdā'* *wa-l-hibās al-aswad*, the long black shirt and black clothing—possibly to be like the tribesmen? An example of an indigo-dyed *qamiṣ*, called *muṣabbaghah*, is on show at Imām Aḥmad's mansion, the 'Urḍī in Ta'izz—it is said that on occasion he would make presents of these to tribal visitors. Qāḍī Ismā'il defines *shuqqah* as a woman's *qamiṣ* when it is of *dāmūr* clothing dyed with *nīlah*. Aḥmad al-Ruqayḥī, descended from a family of Ḥāshidī notables forcibly settled in San'a' by Ṣinān Bāshā, expresses his pride in the profession of dyeing in a neatly turned couplet.

Glory lies in learning (*'ilm*) and a hand black from the craft (*fann*) of dyeing, not in the company of lords.

I have worked for the former and the latter at the one time only so as I may

a/c. Tailors (*al-Makhāyīṭah*)²³⁴—tailors (*khayyāfīn*), border-weavers (*ḥaṣṣāyyīn*),²³⁵ and weavers (*ḥawāk*) etcetera—the authority to which their wages are referred (*al-marja'*) (to decide) that to which they are entitled is their headmen (*'uqqāl*), then the Shaykh of the Town.

b/c. The makers of ready-mades (*al-mujahhizīn*)²³⁶ with shoddy workmanship in the tailoring, and all roughly run up articles shall be inspected for defects in them to people's detriment by the Shaykh of the Town once in eight days.

c/c. They must have that honesty (*amānah*) and lack of deception previously mentioned.

d/c. The customary wages for the crafts—a *jawkh*²³⁷ robe is (paid for at the price at which) they customarily (manufacture it) and in accordance with the expensiveness or cheapness of silk. The average (*awsaṭ*) charge to the customer is a *qirsh* and a quarter.

e/c. A cloak (*'ābah*)²³⁸ of the best tailoring costs a *qirsh* less a quarter, a *jalābah*²³⁹ (wide sleeved robe) a *qirsh*, and the long shirt (*qamiṣ*)²⁴⁰ four for a *qirsh*.

f/c. They are required to provide the fleece-lined coats for the watch they customarily do to the tune of five and a half *qirsh* plus collection charge on that of a quarter and eighth (i.e. 5/8ths).

(Supplementary)

a. Saddlers (*al-Sarrājīn*)²⁴¹—the evaluation of goods is entrusted to their Shaykh and to a selected person. Equitable practice (*'adālah*), and evaluation of what they have manufactured according to the price set by the Shaykh and the man of integrity (*'adl*) as they consider appropriate, depending on the price set for the goods in (relation) to expensiveness or cheapness, is stipulatory upon them.

b. They are required to provide such fleece-lined coats for the watch as they customarily do to the tune of eight and a half *qirsh* plus collection charge on that.

join learning (*'ilm*) together with works (*'amal*).

Al-Ruqayḥī died in 1162/1749, *Nashr al-'arf*, I, 126.

233 These *ḥukkām* would certainly seem to be governors not heads of craft organisations.

234 *Makhāyīṭah*, sing., *mukhayyīṭ*.

235 The *ḥaṣṣā/haddā* or weavers of borders (*Gloss. dat.*, 436, *ḥaḍwah*, *frange*) one used to see working in Aden Crater, but I have not seen them working in San'a'. They add borders to *fūṭahs*, and the medieval work *Mulakkhaṣ al-ḥiṭān* specifies whether cloth is *muḥashshā*, with a border or plain, in listing items chargeable to customs duties in Aden. Cf. *Jemenica*, 106, no. 745, 'Ad al-hudiyah shariṭ. The silver border is only a strip.' Cf. pl. no. Valentia, *Voyages and travels to India, Ceylon, the Red Sea in 1802...1806*, London, 1809, was given a piece of silver cloth of San'a'.

236 The *mujahhizīn*, (a term perhaps derived from the sense of *jahhaz*, to fit out) are those who perform tailoring work for the big merchant establishments (*al-matājir al-kabīrah*) and do not bother about fine craftsmanship, not working to the requirements of an individual customer desiring good careful workmanship. Al-Sayāghī draws a distinction between *jihāz* tailoring (*khiyāṭ*) and *'amūlah*—this latter explained by Qāḍī Ismā'il as what is taken care over (*mā yu'tanā bi-hi*) in the way of tailoring.

237 *Jawkh/jukh*, according to Dozy, *Supplément*, from Turkish *chūqah*, broad-cloth, *nom d'un vêtement de drap*. Cf. my *Islamic Textiles*, 132, where *jukh Bunduqī* is discussed, presumably Venetian broadcloth. 'Alī Ṣāliḥ Abū l-Rijāl (ob. 1135/1722) is recorded by *Nashr al-'arf*, II, 218-9, as addressing verses to the Imām al-Mutawakkil... Ismā'il b. al-Qāsim petitioning a *jawkh* from him. The Imām ordered him four *dhīrā'* (cubits) from the treasurer (? *khazān*), but the latter held back from delivering it and a dispute took place in verse between the two. He expected to receive *Bunduqī*, described as a sort of *jawkh* famous in the Yemen. Cf. *ibid*, 394, for reference to a *munāṣarah*, a contest in prose and verse, between al-Jubbah and al-Jawkh, two different types of robe personified.

The *jawkh* is worn by the ulama (see the picture of Zubayrī, p. 106), especially on the Friday, a Feast day, and on ceremonial occasions (*munāṣabah*), and is inherited from father to son. It has long sleeves (*akmām ṭawīlah*), embroideries down the front called *qīṭān* (pl., *qayāṭīn*) in a strip (*shariṭ*) and buttons (*azārār*). The fifteenth century Persian author, Nizām al-Dīn Maḥmūd Qārī of Yazd, *Diwān-i albisah*, Constantinople, 1303 H., speaks of *chūkhā-yi pashminah-i bi-astin-i khāss-i rātibān*, woollen cloth robe without sleeves, special to the monks. Cf. Hikoichi Yajima, *Chronicle*, 122, for *jukh* imported to Aden in 832/1428-9.

238 The *ābah* is described as the finely woven black and white short jacket of the tribesmen.

239 Al-Sayāghī describes the *jalābah* as a *jubbah* with wide sleeves made of silk embroidered (*muḥaṣṣab*) with gold or silver thread. If made of *jawkh* it is called *jawkh* but the two types seem to be closely similar.

240 The *qamiṣ* has wide sleeves (*ardān wāsi'ah*) and reaches about half-way down the leg. The *qamiṣ al-ṣalāt* is used by women only.

241 *Sarrājīn* are described by al-Sayāghī as makers of leather belts.



1 Şan'ā'. A general view of the city from the west with Mount Nuqum rising behind it on the right.



2 Şan'ā'. A general view from a house adjoining Qubbat Ṭalḥah looking to the north east. Showing the *mafrajs* on many of the rooftops.



3 Şan'a'. A street scene with houses decorated in gypsum plaster. The vertical pipe on the right was introduced recently over the traditional plaster drain.



4 Şan'a'. A view over the rooftops with the minarets of Masjid Şalāh al-Dīn and Masjid al-Madrasah in the background.

5 Panoramic view of the old city across the Sā'ilah with the city wall in the foreground. The southern Khanādiq walls on arches across the flood-course level.





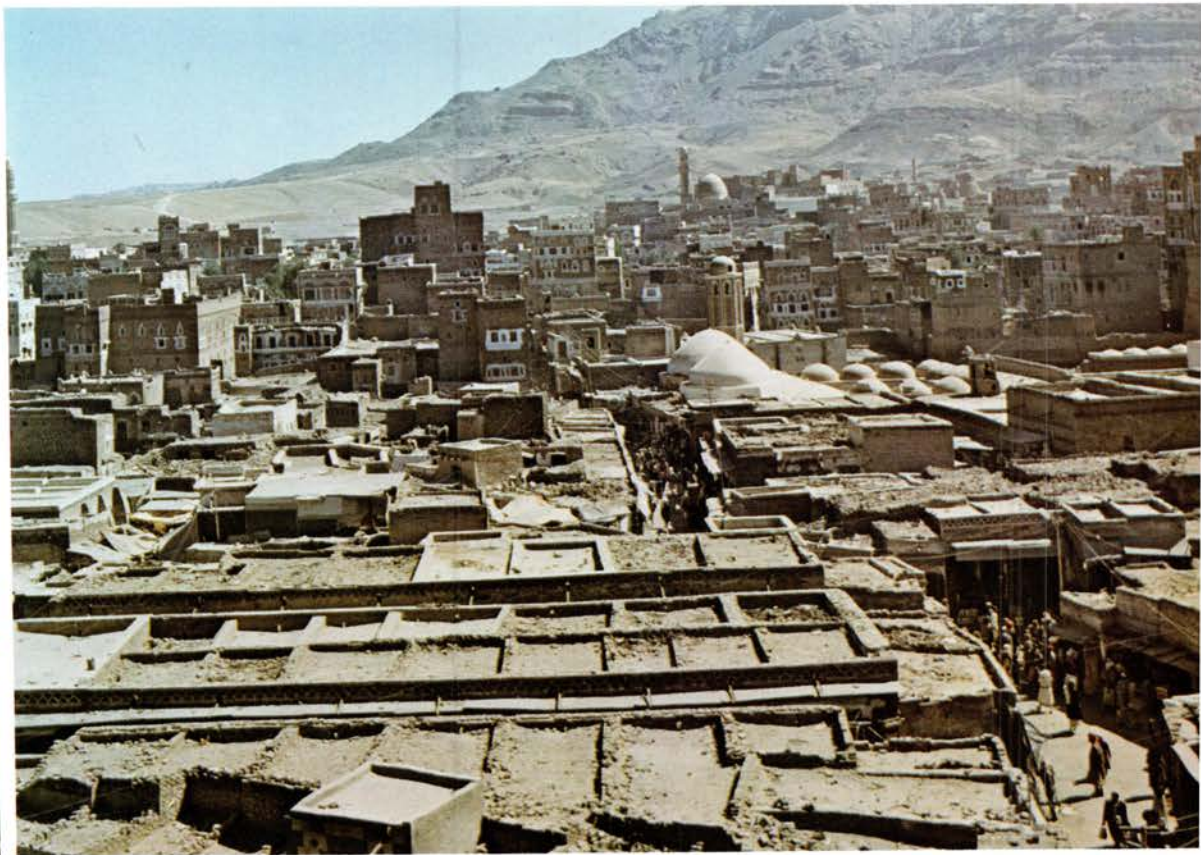
6 The western part of the old city, from the air, showing the typical pattern of city growth. The houses line narrow streets with behind them large open areas for market gardens. Each garden relates to a mosque of which it forms part of the *waqf* property.

7 The Sūq. A panoramic view from one of the highest *samsaraks* on the western side looking north and east with the foothills of Nuqum on the right. The small cabins projecting above the single storeyed shops contain small rooms for the watch that guards the Sūq at night. The facade of Samsarat Muḥammad b. Ḥasan/Aḥsan shows in the centre panel.

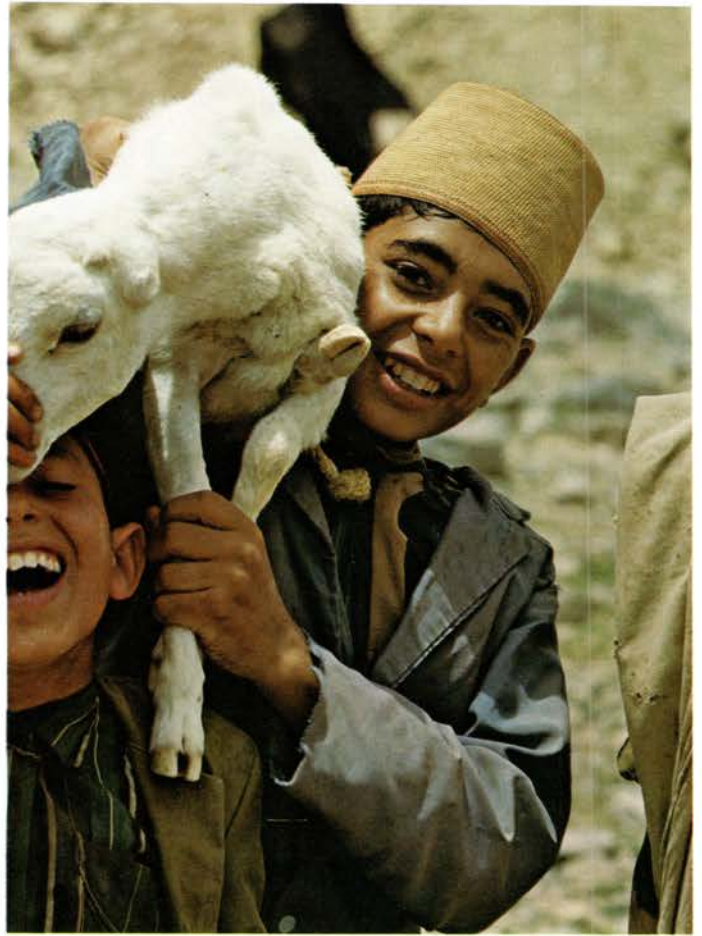




8 *Miqshāmah* of al-Mahdī 'Abbās mosque, a large market garden with the dome and minaret of the mosque visible in the background.



9 Boys carrying a lamb to market; one is wearing a hat finely woven in the Tihāmah, of bamboo, called *khayzurān*.



10 Qaṣr al-Silāḥ. A view of Ṣan'ā' with the Qaṣr in the left foreground, clearly elevated high above the town.





11 Şan'a'. A tribesman attending the 'Īd prayer, wearing a turban dyed with indigo.



12 Map of San'a' about 1870 by Manzoni. This map is inaccurate in some of its details. The existence of a large open *maydān* running east to west from the Sūq towards Bāb al-Sabāh is confirmed, at least in part, by contemporary photographs.

R Stab Ca

44° 33' 30"

44° 34' -

44° 34' 30"

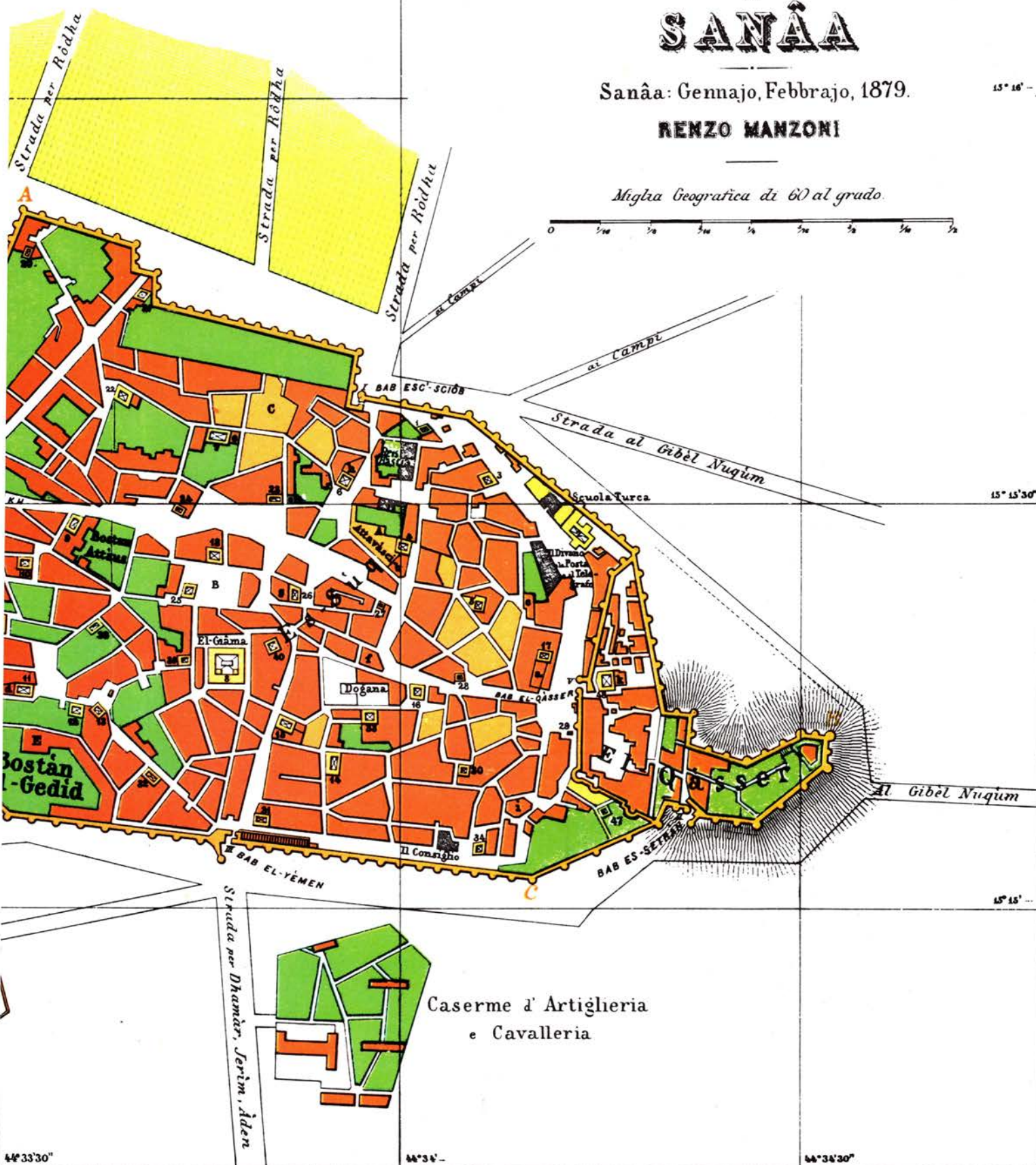
Pianta della Città di **SANĀĀ**

SanĀā: Gennajo, febbrajo, 1879.

RENZO MANZONI

15° 16' -

Miglia Geografica di 60 al grado.



44° 33' 30"

44° 34' -

44° 34' 30"

13 Panorama of the city in 1974 from the extreme western edge of Bir al-'Azab, Jabal Nuqum in the background.







14 Şan'a'. The Sûq. A characteristic scene between the rows of stalls.

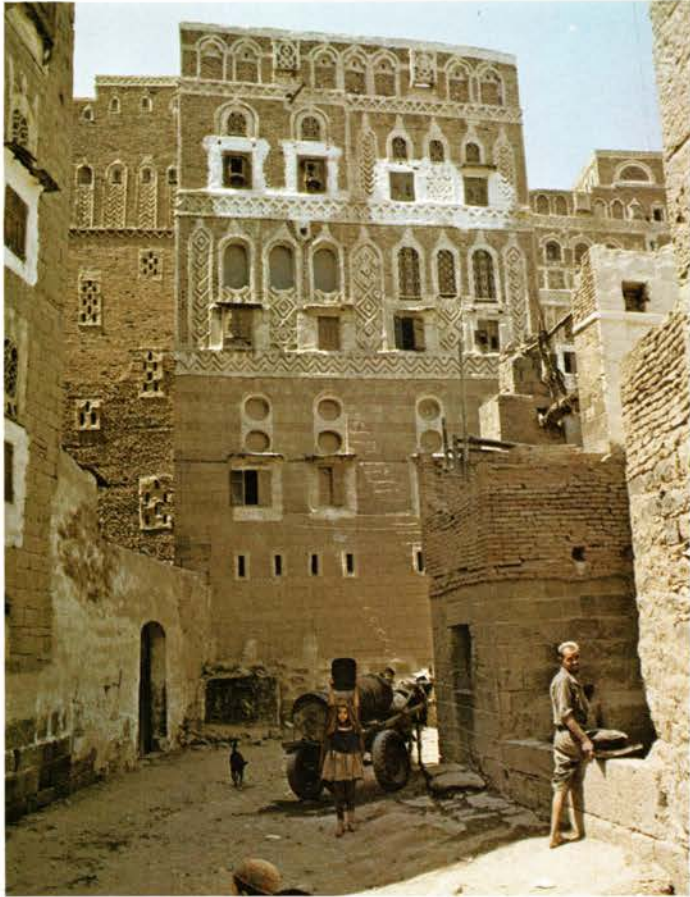
16 Samsarat al-Muzayyin. The western side of the restaurant court, with the access to the stairs and the galleries leading to rooms for accommodation above.



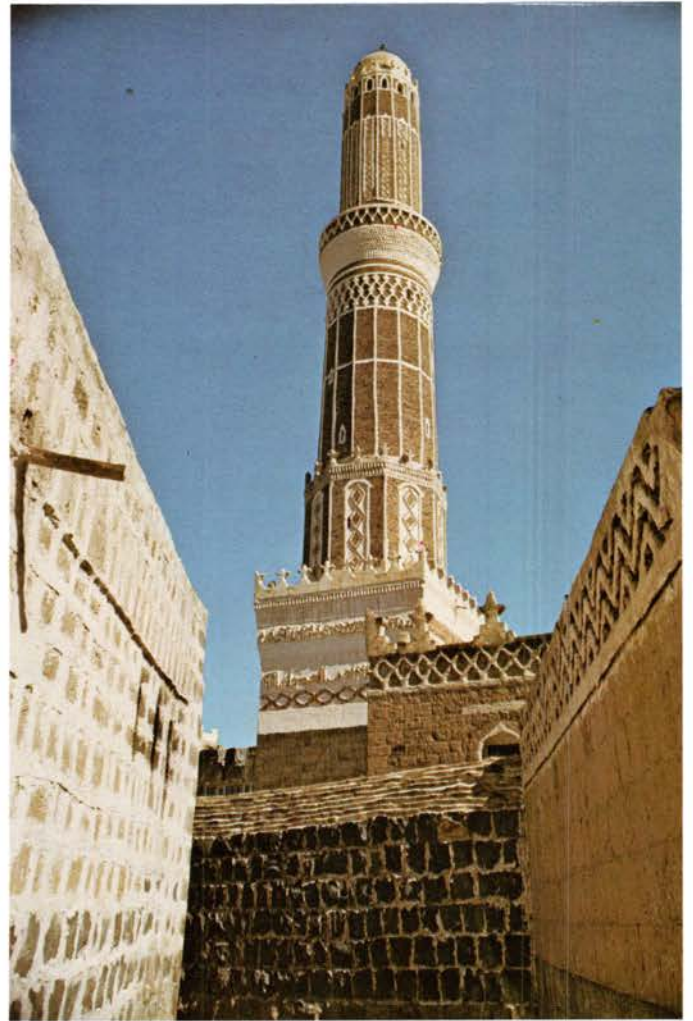
15 Samsarat al-Muzayyin. The restaurant and its serving counter inside the south entrance.



17 A corner of the Sûq al-Milḥ, with the domes of the Janāḥ mosque in the background.



18 Filling a water carrier from a *sabil*.



19 Mosque of Mūsā. Minaret.



21 The Great Mosque. Section of early ceiling from one of the high western bays.

20 The Great Mosque. View into the courtyard, with the square Chancellery of the Ottoman Governor Sinān Pasha, known as the Qubbah

22 The Great Mosque. Coffered ceiling of the northern prayer hall, with beams decorated with patterns and inscriptions dating from many periods.

23 The Great Mosque. Another section of the coffered and painted ceiling of the northern prayer hall.

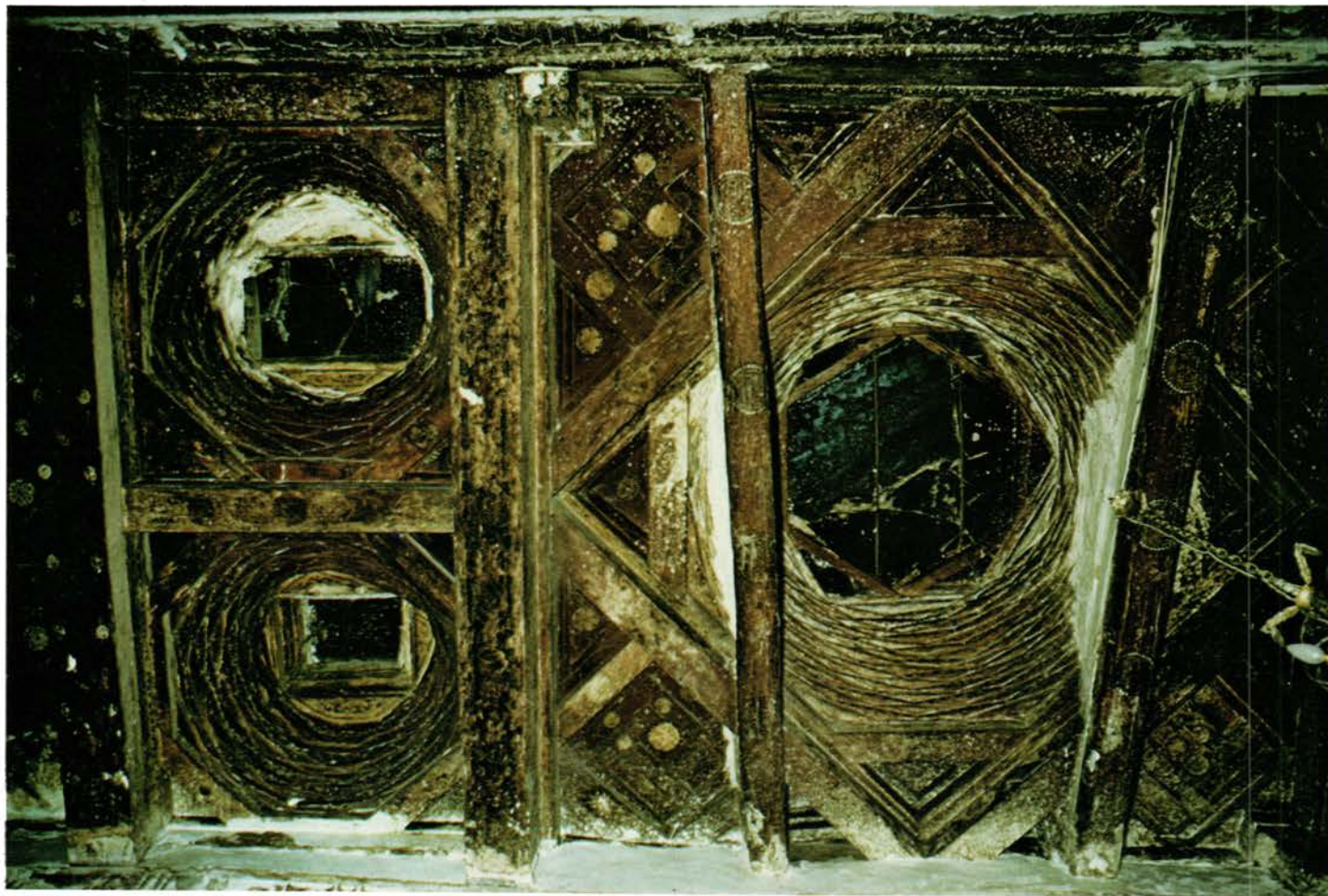
24 The Great Mosque. Part of the symmetrical group of five alabaster skylights in the first bay of the northern prayer hall, in front of the *qiblah*. The alabaster is now black from centuries of exposure to soot and dust.



22



23

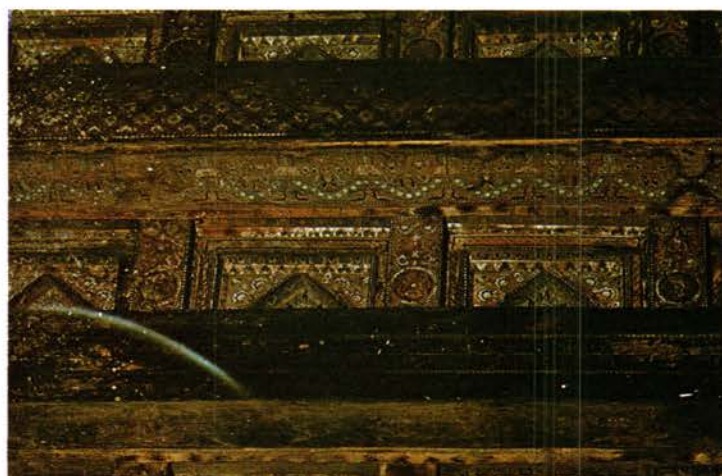


24

25 The Great Mosque. High western bay of ceiling, containing fragments of ancient decorated woodwork.



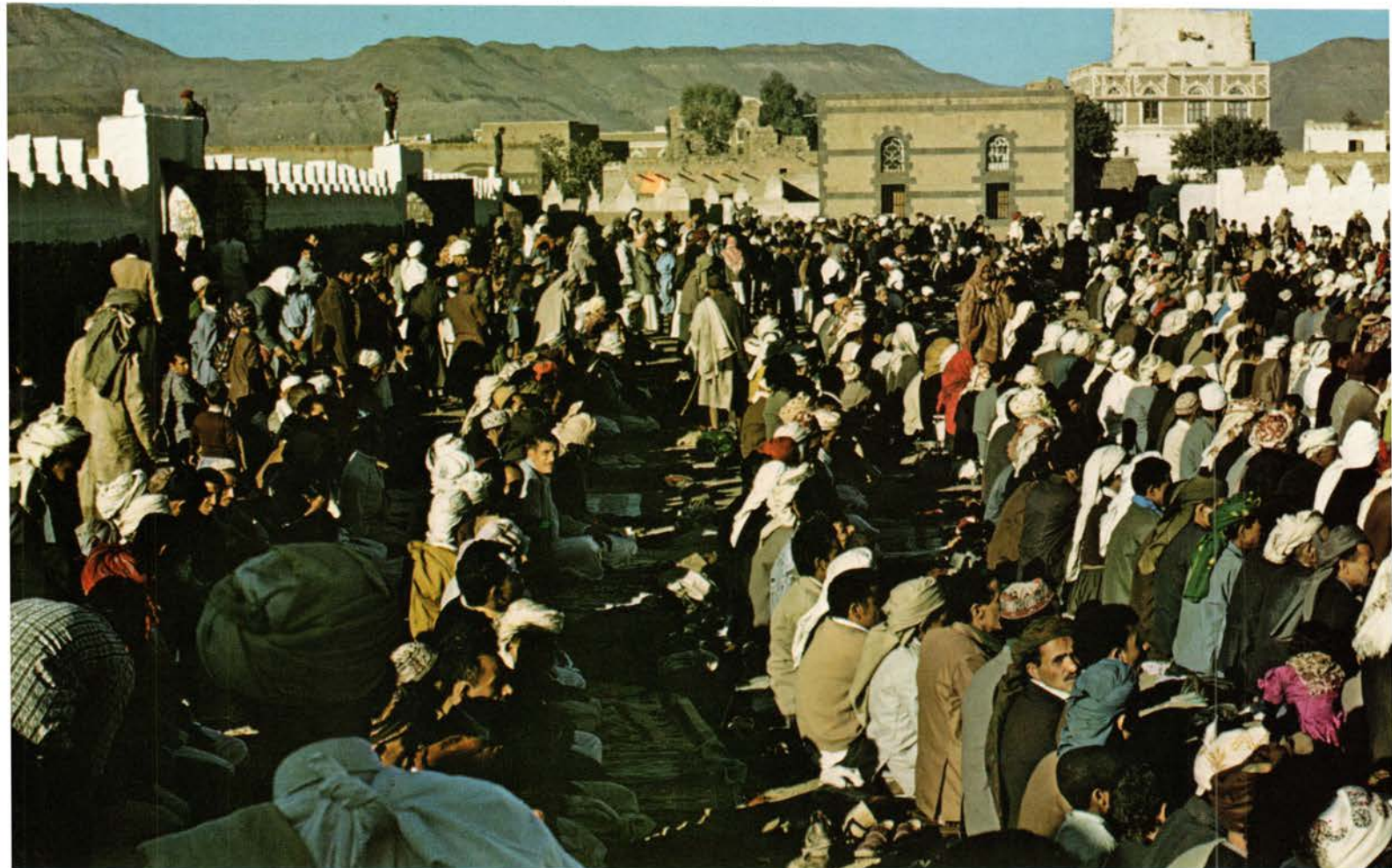
26 The Great Mosque. Part of the coffered and painted ceiling in the northern prayer hall.

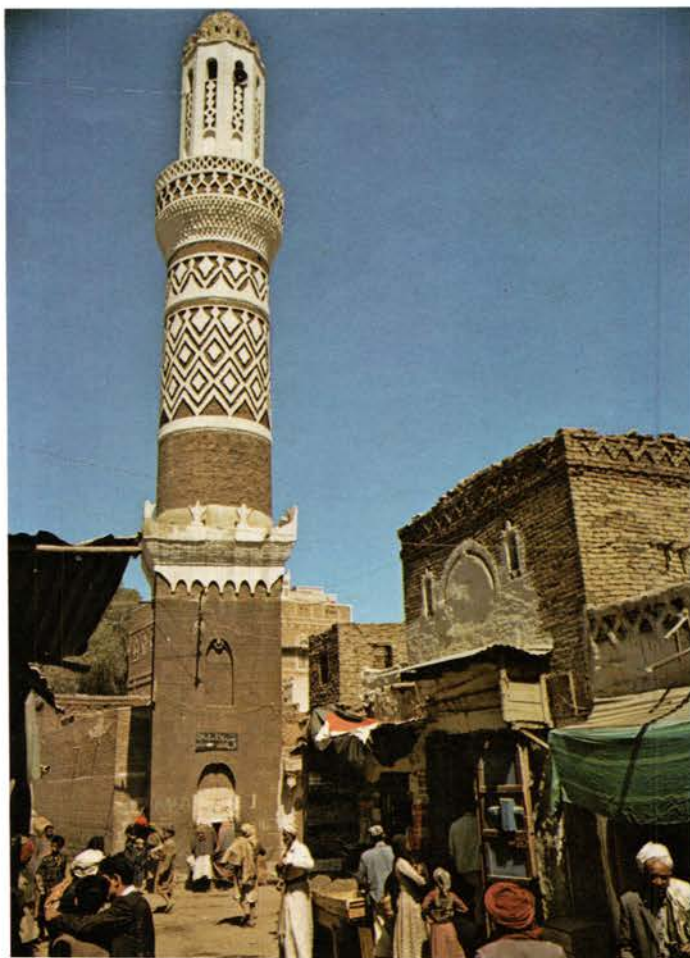


27 Mosque of al-Filayhī. Tomb chamber, *qiblah* wall and *mihrāb*.



Mosque of al-Washali. Exterior of the prayer halls.
Al-Jabbānah. The communal prayer at dawn to mark the end of Ramaḍān, and 'Īd al-Fiṭr. With guards in red berets mounted on the walls.





30 Mosque of 'Aqil. Minaret on a street corner, seen from the sūq.



31 The Great Mosque. The northern prayer hall before its restoration in 1969 (R. B. Serjeant).

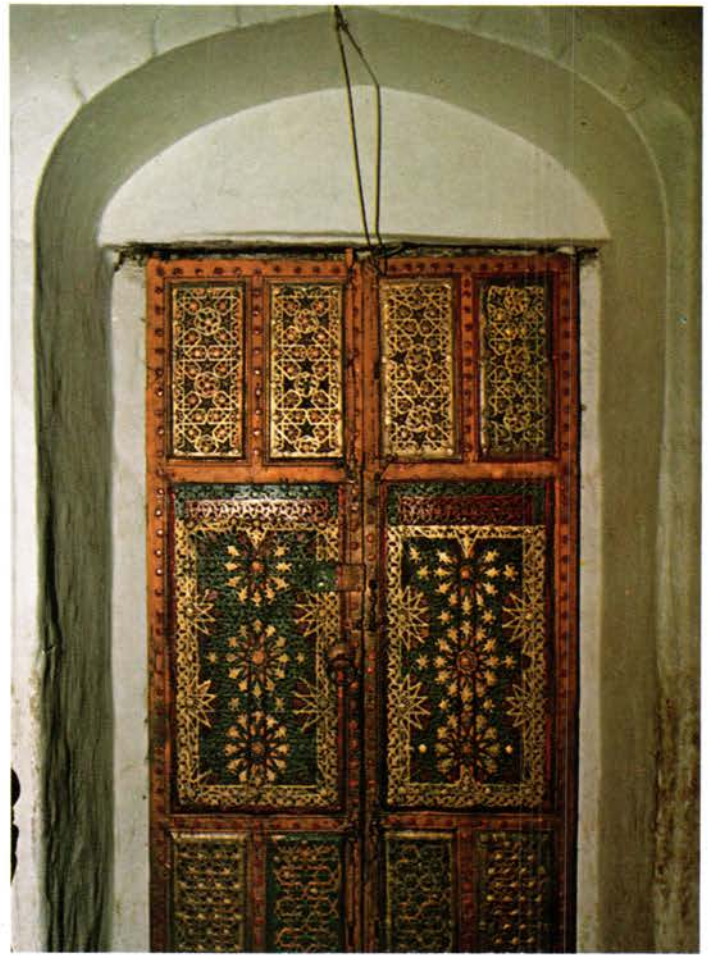






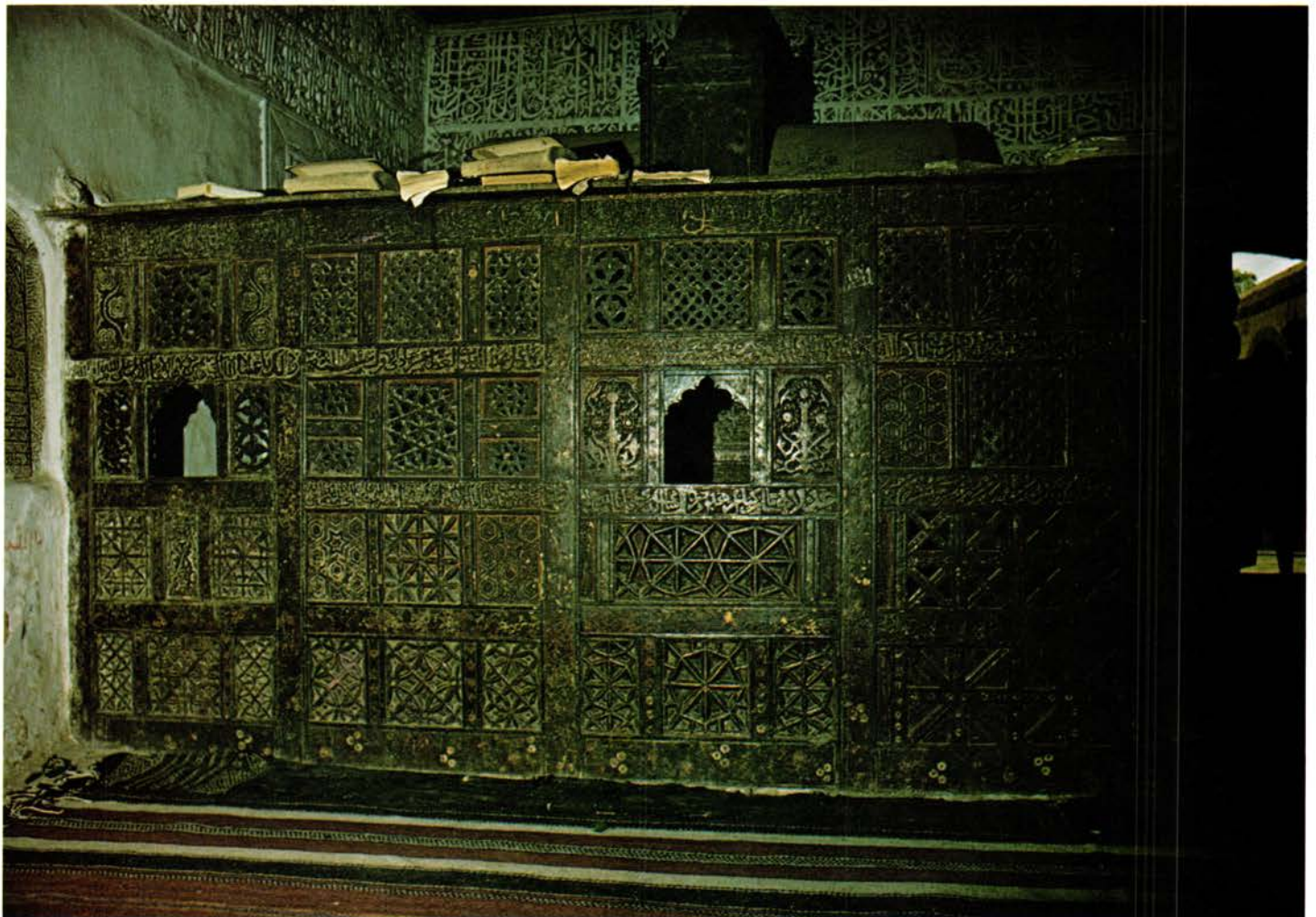
32 Qubbat Ṭalḥah (*left*). Viewed from above with the ablution block at bottom left.

33 Qubbat al-Mahdī 'Abbās (*above*), highly decorated door.



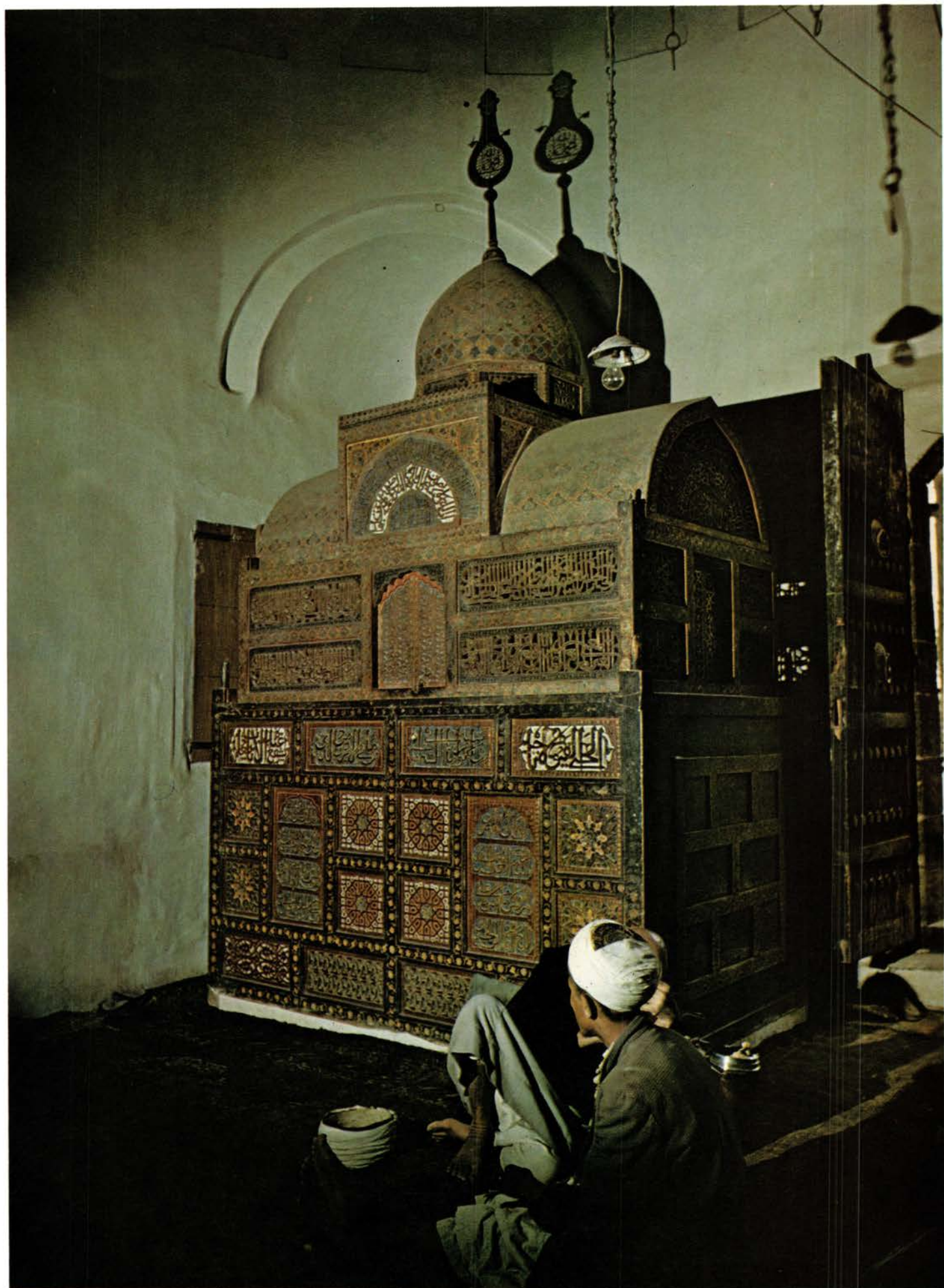
35 Mosque of al-Mutawakkil. Side of the tomb.

34 Qubbat al-Mahdī 'Abbās. Doors to the prayer hall, viewed from the inside.

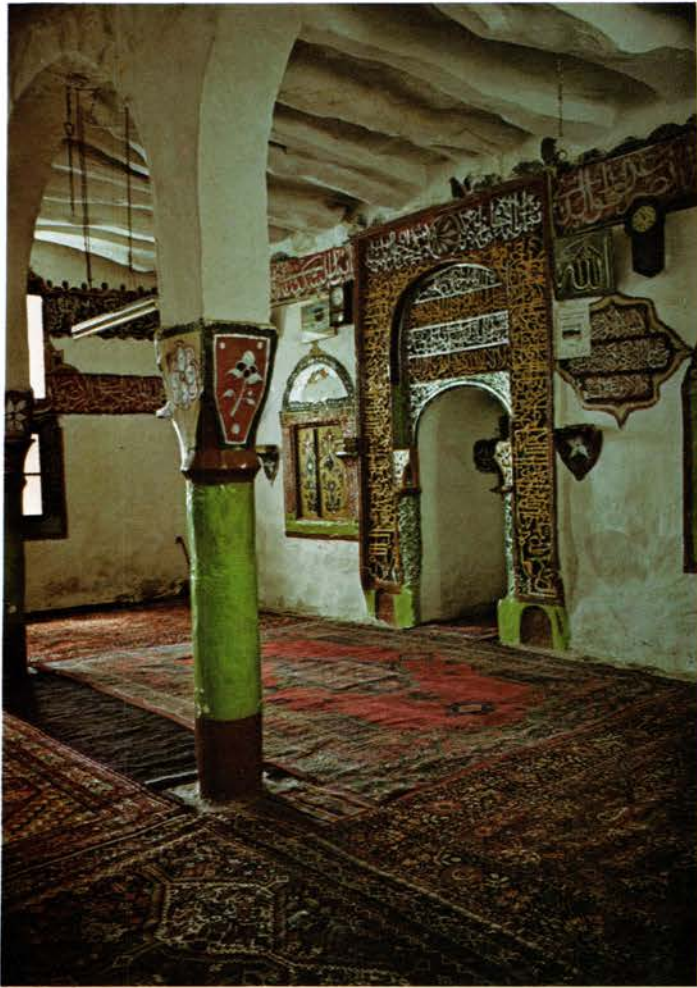




36 Qubbat al-Mahdī 'Abbās. The tomb of al-Mahdī 'Abbās. End view.



37 Qubbat al-Mahdi 'Abbās. The tomb of al-Mahdi 'Abbās.



38 Mosque of Ibn al-Husayn. Interior of prayer hall.



39 Houses in the Talhah Quarter, seen from the *mafrāj* window of a house.



40 Houses in the Talhah Quarter, seen from a high *mafrāj*, with another on an adjoining house immediately in front.



41 Houses on the bank of the Sā'ilah.

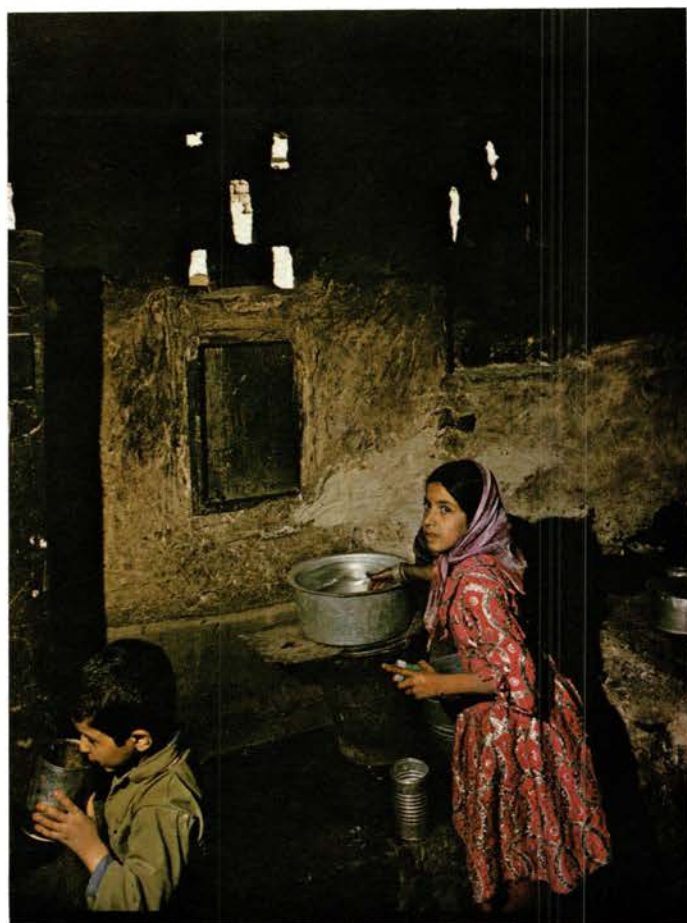


42 Detail of house.



43 High houses near Şalâh al-Dîn mosque.

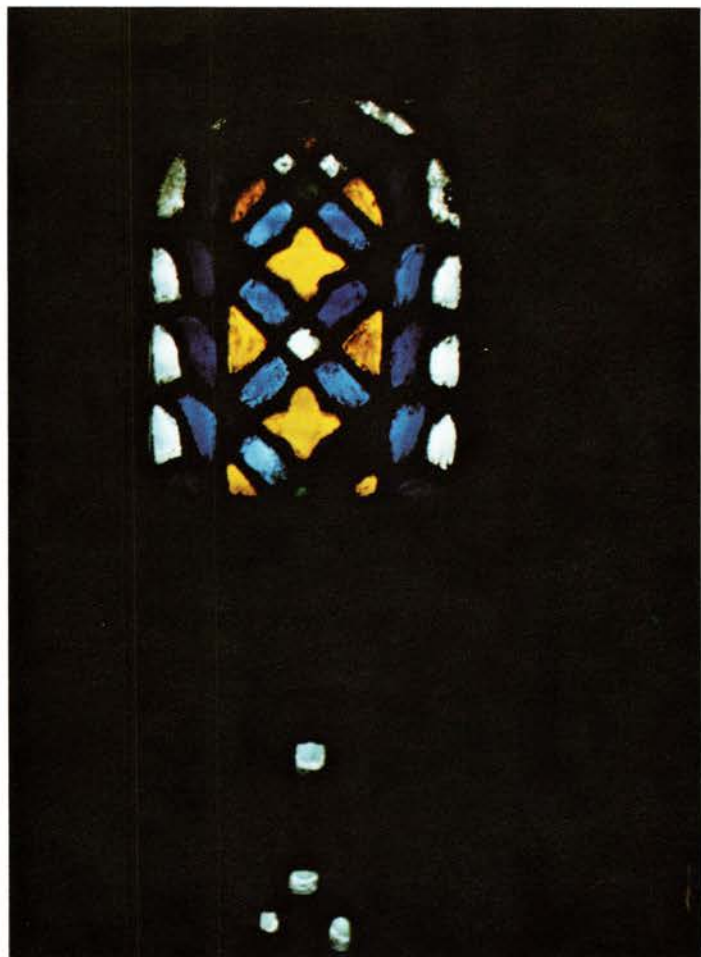
44 House W. Bathroom. The lavatory on the left; set in the right foreground two flat stones for one washing to stand upon while scooping water from a large vessel that would rest on the circular stone on right.



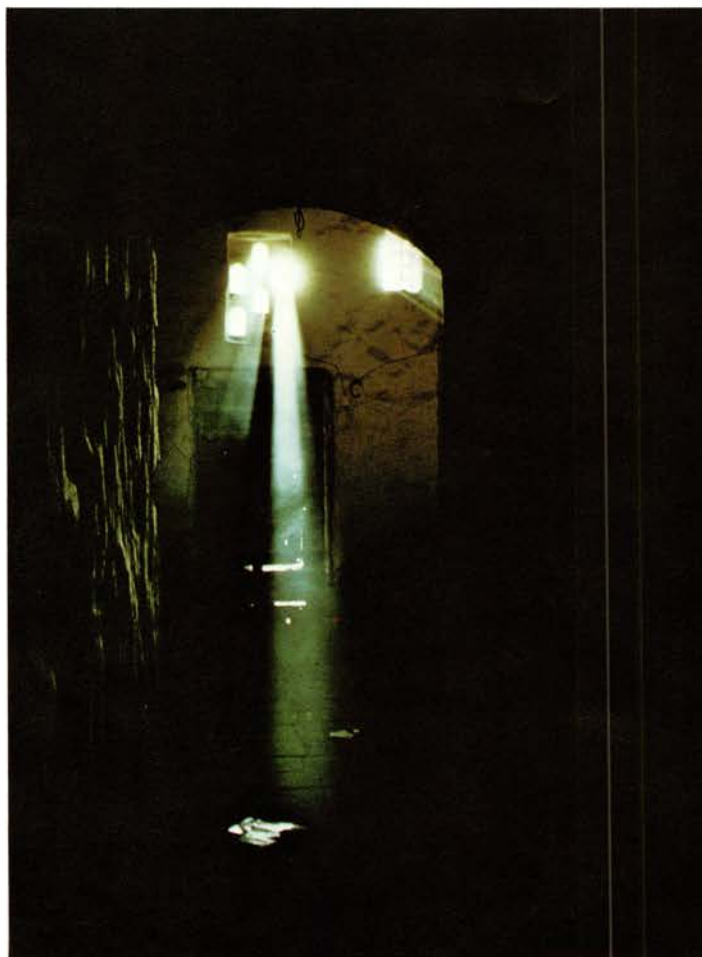
45 House W. Interior of kitchen.



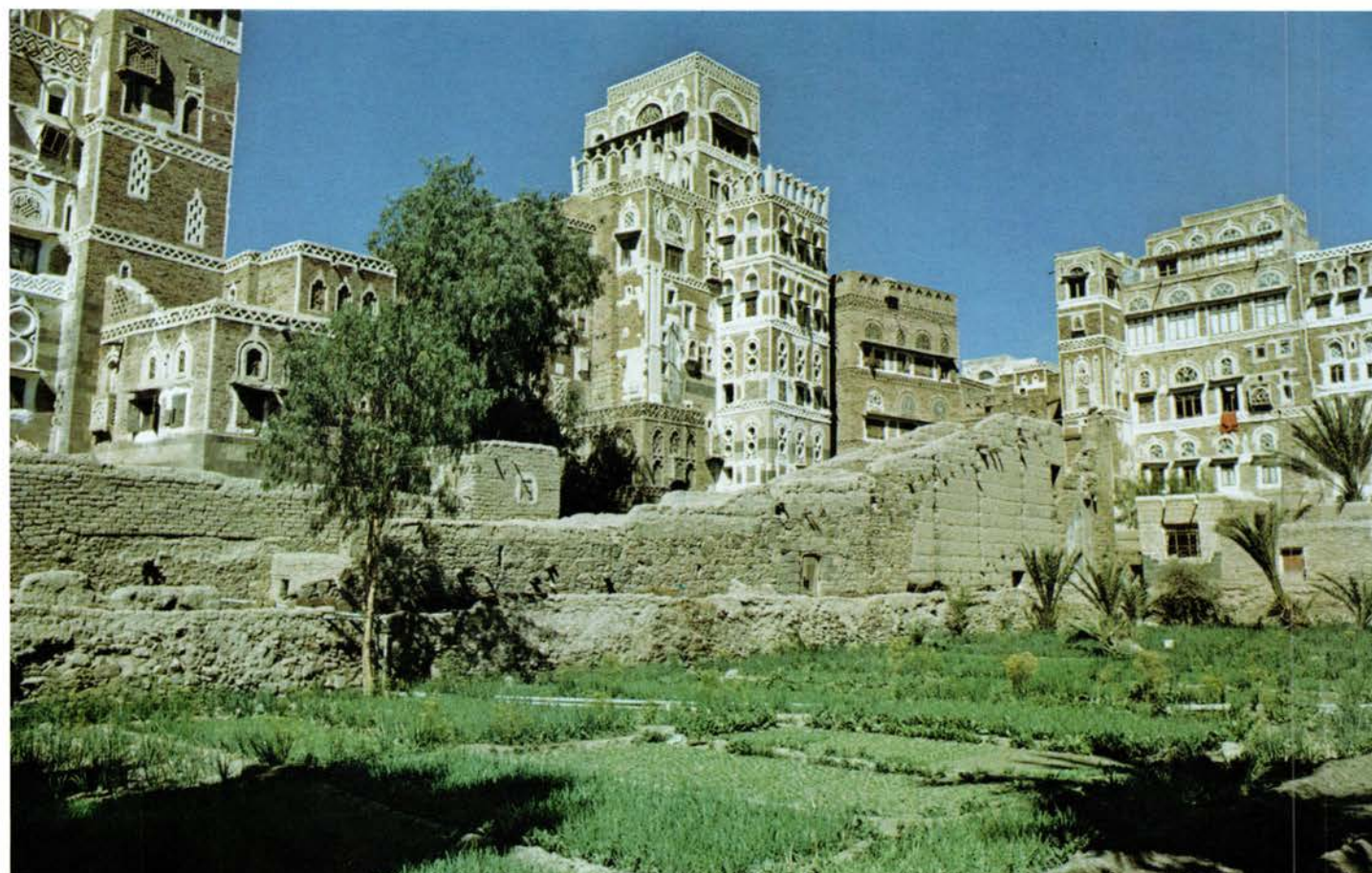
46 Men at an afternoon gathering in the *manzar* of a small house.



47 A typical coloured glass window from one of the upper rooms in a San'a' house.



48 House JY. The entrance hall as it appears on first entering it from outside.



49 House JY (centre). The back of the house seen from the *bustān* at its rear (centre). In front of it is the structure of a well ramp (*mirna'*).



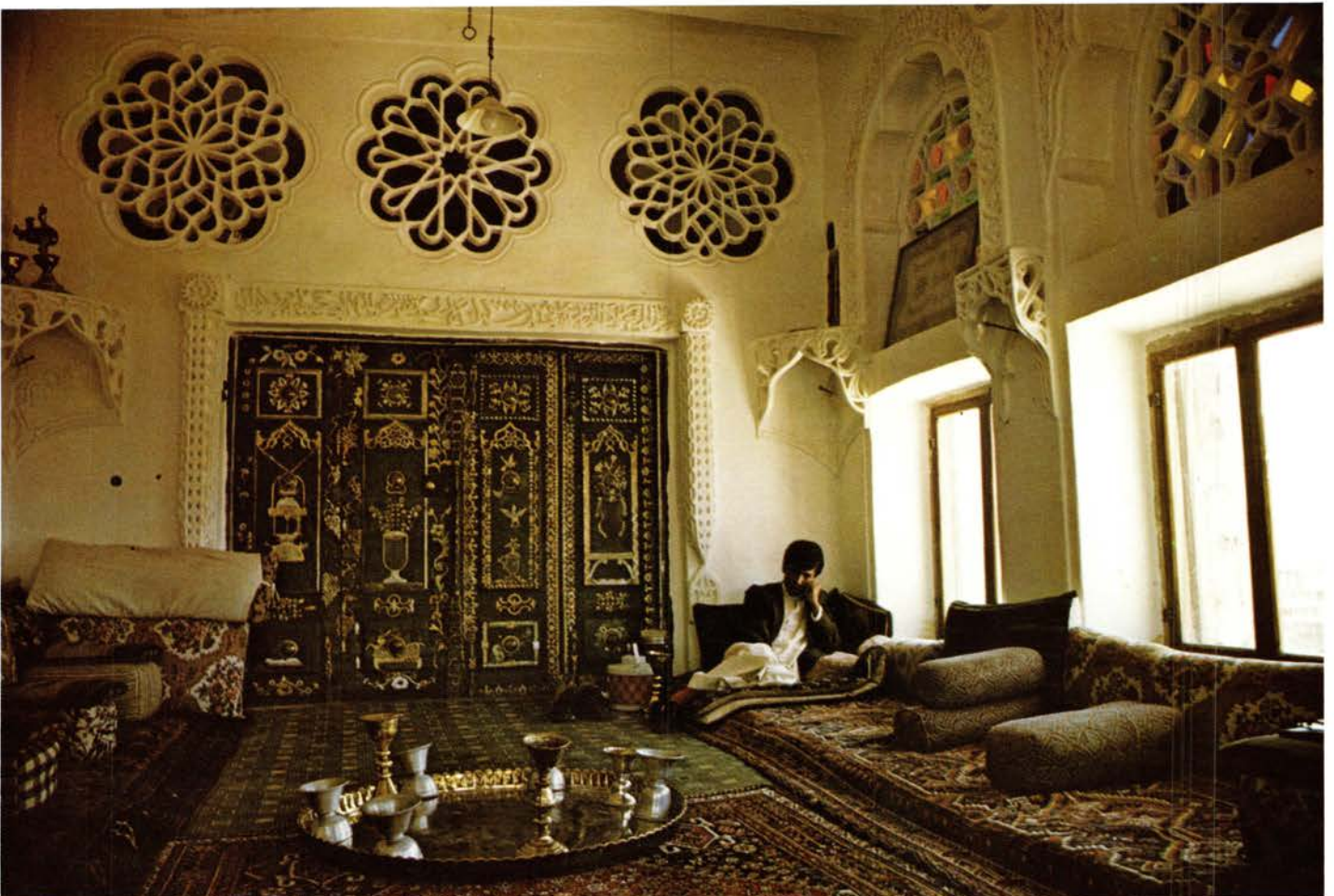
50 A typical *ḍiwān* in a Şan'ā' house (House N).



51 House JY. A coloured glass window, with six-pointed star in the tracery.



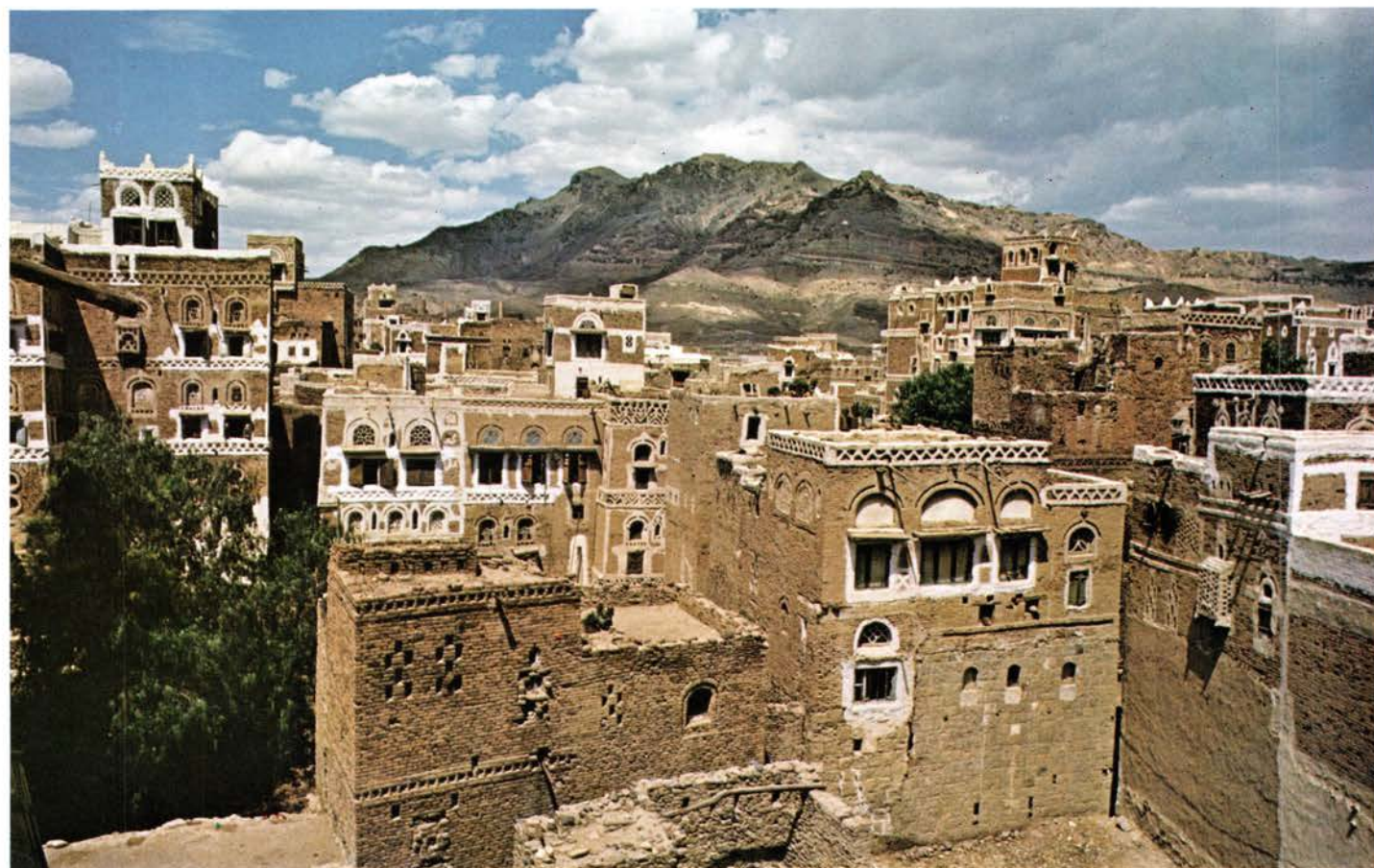
52 House AA. The mirror in the centre of the long wall of the *mafrāj*.



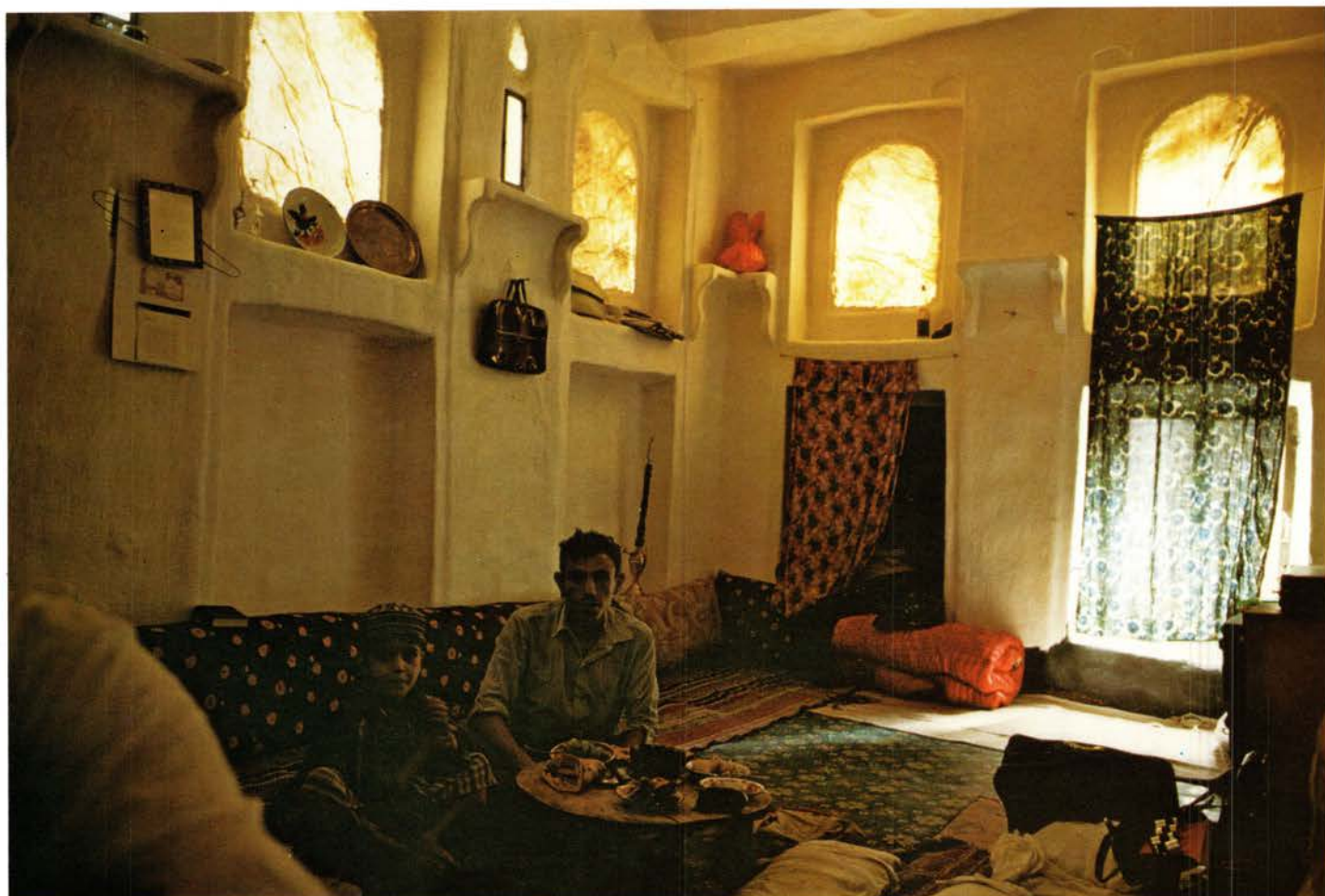
53 House AA. The *mafrāj*.



54 House W. View from the window of the central *manzar*, looking south west.



55 House W. View from the window of the central *manzar*, looking south east.



56 A modest room in an old house with its original alabaster upper windows.



57 *Diwān* of a small house, with a brass tray prepared for entertaining, with waterpipes, sweetmeat bowls, incense burners and spittoons.



58 Typical *manzar* of a small house.



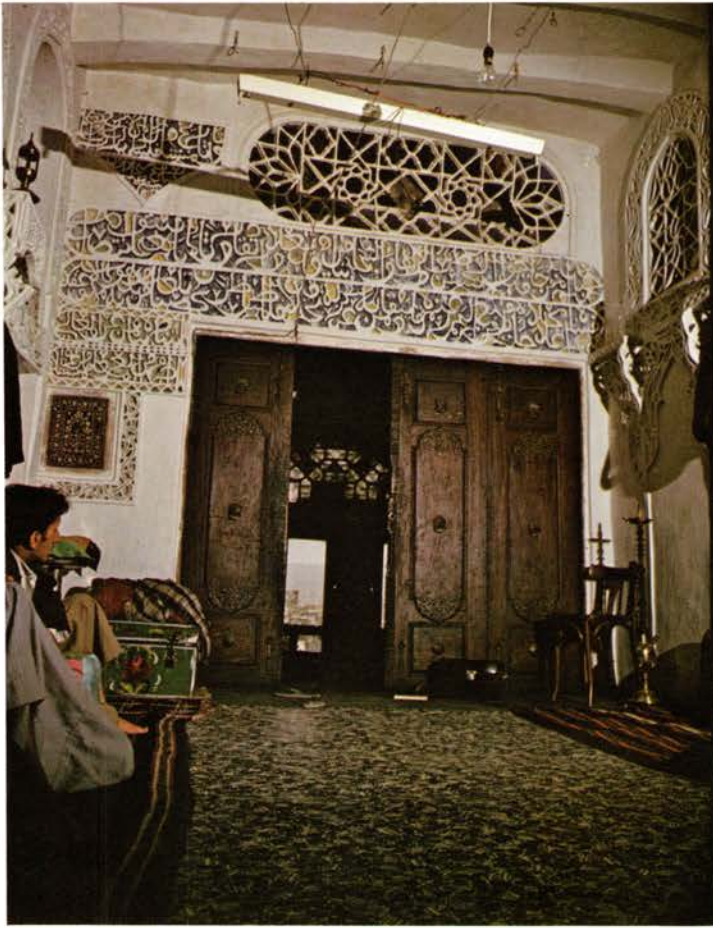
59 A *manzar* in use for an afternoon musical session.



60 House S. *Diwān*, the outer wall. The reinforcing arch carried the cross wall of the floors above.



61 House B. The *mafrāj*.



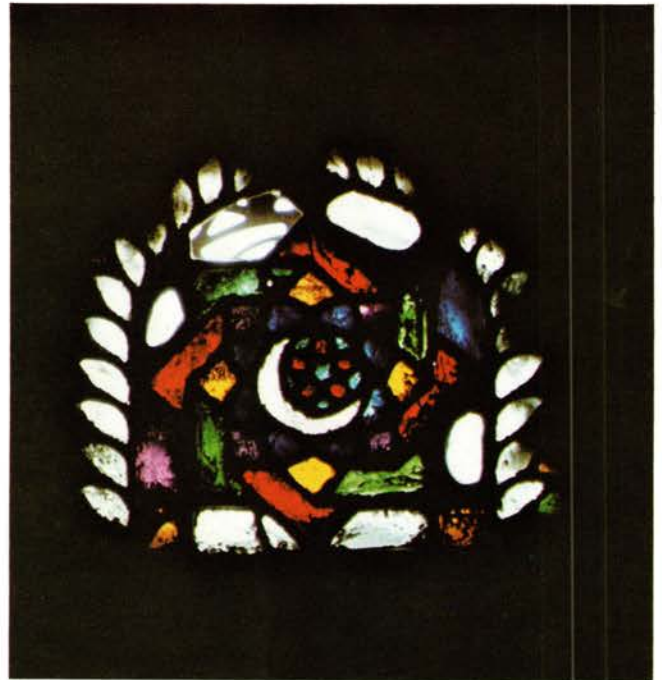
62 House B. The *mafrāj*. Looking at the distant view through the west-facing windows in the outer lobby.



63 House B. The lobby to the *manzar*.



64 House B. The *mafrāj* seen from outside. The small room above it is sometimes called *zahrah*, a flower.



65 House B. A coloured glass window with crescent in the *manzar* lobby.

28. Bakers (*Khabbāzīn*) and the Like 295

On social occasions (*mawājib*)²⁴² bakers receive eight *buqshahs* on the Ṣan'ānī *qadaḥ*—measure and for a sheep²⁴³ eight *buqshahs* also.

(Supplementary)

a. Bread-oven men²⁴⁴ and flour millers (*al-farrānīn*²⁴⁵ *wa-l-madāqiqah*)²⁴⁶—honesty and lack of deception and surveillance²⁴⁷ upon them by the Shaykh of the Town to inspect the flour as a precaution against the adulteration of wheat (*ḥinṭah*) with millet or barley, are stipulatory upon them.

b. They are required to provide the fleece-lined coats for the watch they customarily do plus the collection charge for that, a *qirsh* less (*ya'jaz*) half an eighth (i.e. 1/16th) as the customary collection charge on that.

c. Coffee-inns (*al-maqāhī*)²⁴⁸—honesty and lack of deception are stipulatory upon them. Every coffee-inn proprietor (*muqahwī*)²⁴⁹ shall give his shaykh a guarantee that he will look after people's property and bedding.²⁵⁰

d. It is the duty of the person responsible²⁵¹ to pay attention to the water-vessel and coffee-pot (*jamīn*)²⁵² by supervising them each day. Any person he discovers not attending to the cleaning and covering²⁵³ over of his water-vessel he will imprison and reprimand.

e. Coffee-inn proprietors are required to provide the fleece-lined coats for the watch they customarily do to the tune of a *qirsh* and a quarter plus collection charge of an eighth of a *qirsh* on that.

f. It is the duty of the person responsible to pay attention to the bakers (*al-khabbāzīn*) and inspect their utensils and imprison anyone who does not keep himself up to the mark.²⁵⁴

g. If he (the shaykh) does not inspect (*yata'ahhad*) these persons he is not entitled to the customary stipend (*jirāyah*)²⁵⁵ paid him by the markets.

(Supplementary)

a. Warehouse-keepers (*al-samāsirah*)—honesty and lack of deception and care of the property of the merchants (*tujjār*) are stipulatory upon them.

b. They are required to provide the fleece-lined coats for the watch they customarily do to the tune of nine *qirsh* plus collection charge of half a *qirsh* for that.

29. The Blacksmiths' Market (al-Miḥdādah)²⁵⁶

The regulation (*qā'idah*) for the wage (for working) each *raṭl* (of iron) is the same as what it (the *raṭl* of iron) costs.

(Supplementary)

a. In all businesses (*ashghāl*) (matters will be conducted) in conformity with the (established) regulation (*al-qā'idah*), and the responsibility for seeing²⁵⁷ to that lies with their Shaykh, a responsible man of integrity (*al-'adl al-mu'ahhad*).

b. They are required to provide the fleece-lined coats for the watch they customarily do to the tune of two and a half *qirsh* plus collection charge of an eighth of a *qirsh* on that.

c. Horse-shoes (*na'l al-khayl*)—weighing of the complete set (of shoes ? *taṭbiqah*)²⁵⁸ is the responsibility of the man who sells the iron. It (the set) will come to two *raṭls* and might come to two and a half *raṭls* or to two and a quarter *raṭls*—anything above this amount is rare. The price of the *raṭl* will be as time and place dictate.²⁵⁹

30. Farriery (*al-Bayṭarah*) 296

The farrier's (*al-bayṭār*) charge for work on a complete set (of shoes ?) is a quarter *qirsh*; for shoeing the fore-legs (? *na'l al-ṣadr*)²⁶⁰ it is an eighth of a *qirsh*, and for a single leg (? *al-fardah*)²⁶¹ five²⁶² *buqshahs*. The wage of the *rijlah* (?),²⁶³ i.e., the man who holds the horse's leg, is four *buqshahs* for a (complete) shoeing (*taṭbiqah*), two *buqshahs* for the forelegs (? *al-ṣadr*), and a *buqshah* for the one leg (*al-fardah*).

(Supplementary)

a. It is stipulatory on the farrier that he have a knowledge of the ailments (*'ilal*) of riding animals. The fee for (treating) *ṣafar*²⁶⁴ in horses is a quarter *qirsh*, and in donkeys (*bahāyim*) an eighth of a *qirsh*. The (horse)-holder (is paid) as previously mentioned.

b. Medicines (for treating) such (ailments) as large sores (*tiḥs/diḥs*)²⁶⁵ (on the back or chest)—the farrier receives the cost of the medicine and the fee.

c. If the treatment be given in the tethering-place (*marbaṭ*) he receives for each supplying of medicine (*ṭarḥah*)²⁶⁶ at the tethering-place a quarter *qirsh*, and for going round to inspect (the animal) the eighth of a *qirsh*.

d. Other ailments (are charged up) in the same way and in proportion to (the severity) of the ailment.

242 *Mawājib*, sing., *mūjib*, according to al-Sayāghī, marriage feasts (*walā'im*), but Qaḍī Ismā'il calls them *da'awāt*, invitations to birth, marriage, or death ceremonies.

243 Reading *al-rās al-ghanam* for the text's *al-rys al-qym*.

244 The *khabbāz* makes bread on a *mikhbāzah* (see p. 544a) and cooks the bread in a *tannūr* (see f.n. 323) while the *farrān* makes small baps (*kidam*, sing., *kidmah*) which he bakes in a large masonry oven of a type to be seen in Ṣan'ā' or in, for example, a village I visited in the Banī Bahlūl district. This oven is called *furn* and a long oar-shaped pole for removing the bread from the heat is known as a *kurayk*.

245 *Farrānīn* must be read for the text's *qarrānīn*.

246 *Madāqiqah*, sing., *mudāqqiq*. *Yudaqqiqū fi 'l-ṭahīn*. They make the ground flour soft (*na'im*).

247 *Mu'ahhadah* was explained as *taraddud al-shaykh wa-ta'ahhuduhu-hum*, the shaykh's frequent visiting and observing of them.

248 *Maqāhī*, sing., *miqāh/miqhāyah*, places where travellers and their animals put up for the night, generally only brushwood shelters and charpoy beds. Food can be obtained as well as coffee. Cruttenden, op. cit., 268, found that the Muqawwi (sic) innkeeper, gives curdled milk and coarse cake of dhurah bread, about 1 lb., called 'one man's share', morning and evening.

249 The *muqahwī* is of low social standing. See my comments in C. A. O. van Nieuwenhuijze, *Commoners, climbers and notables*. . . in the Middle East, 23.

250 I.e. his clothing and sleeping bag (*kis al-nawm*), this being a necessary part of a traveller's equipment in the cold high parts of the Yemen.

251 The phrase employed is *ṣāhib al-'uhdah*. Cf. f.n.s. 104, 346, and translation *passim*.

252 The handle of the coffee pot is *mazqam* (see f.n. 119), its neck *raqabah* and *dhimnābah* is the little part at the top of the handle.

253 In conformity with a Tradition in 'Abd al-Rahmān. . . b. al-Dayba' al-Shaybānī, *Taysir al-wuṣūl*, Cairo, 1346 H., II, 172, as a precaution against plague (*wabā'*), *ghaṭṭu 'l-inā' wa-awku 'l-siqā'*, cover the vessel and tie up the (mouth of) the water skin. 'Abdullāh Ya'qūb Khān, *Dictionary of Aden proverbs*, Cairo, 1933, 38, cites, *Ghiṭā' al-burmah shuqf* (in Yemen, *shuqfah*),

The cover of the pot is a potsherd. This last means that there is a use in everything however trivial. Cf. Goitein, *Jemenica*, III, no. 788.

254 Explained as *yaltazim bi-'l-haqq*.

255 *Jirāyah* is explained as *'ā'id*, a return.

256 *Miḥdādah*, a forge in Ḥaḍramawt, cf. C. de Landberg, *Ḥaḍramawt*, op. cit., 355, the place where one carries on a handicraft. Here it is the Market. Cf. Zabārah, *A'immat al-Yaman*, (2), I, 48, Dār al-Miḥdādah. George Viscount Valentia, op. cit., II, 431, reports that iron ore is found beyond Ṣan'ā' and used for 'rings of hookah snakes'.

257 Arabic *iftiqād*, inspection.

258 The rendering of *taṭbiqah* here is conjectural, but Dozy, *Supplément*, quoting *Maml*, II/1/202, gives it the meaning of *une plaque de fer*. . . *que l'on employait pour ferrer ces animaux (chevaux)*.

259 This section may be original, and not in the *Supplementary* part, but the printed text does not make it clear which it is.

260 Reading as in the original, rejecting al-Sayāghī's emendation. *Ṣadr*, chest, would seem to indicate that the forelegs are meant but this is unconfirmed.

261 The sense given *fardah* is unconfirmed.

262 An eighth of a *qirsh* is ten *buqshahs*.

263 *Rijlah* is read for the text's *dijlah*, but this latter was said by one informant to be an instrument for holding the leg, but this is unconfirmed.

264 Al-Malik al-Mujāhid, op. cit., fol. 81 a, speaks of *'Zafar* and *bayād* (lit. whiteness) in the eye. The sign of *zafar* is that you see the beast (*dābbah*) closing (*tughmiq*) its eye, and it keeps on watering. When it is opened something white like the fingernail of a man is found in it, the cause of it being a draught (*hawā'*) striking it. *Zafar* is found in the eyes of all horses. The author also describes the cure for this condition.

265 *Tiḥs/diḥs*, is a large sore on the back or chest (*jurḥ al-zahr aw al-ṣadr*). Cf. C. de Landberg, *Ḥaḍramawt*, op. cit., 570, and *Gloss. dat.*, *érorcher, enlever, la peau*.

266 One says, *Jā' tarāḥ li duwā'*, He came and gave me a medicine. It means *isti'māl al-duwā'*, using a medicine. Cf. *Gloss. dat.*, where *tarāḥa* is given the sense of *donner*. It is thought also to mean a visit to examine (*iftiqād*) so as to prescribe.

- e. For mules (*bighāl*) and donkeys (he receives) half of what (he receives) for horses.
f. Branding (*al-kayy*) is a recognised (*mu'tabar*) (treatment) for camels and riding animals (*dawābb*).²⁶⁷ He receives the cost of the charcoal (*al-sawd*) for heating the branding iron (*alat al-kayy*), i.e. two *buqshahs*, while four *buqshahs* (are paid) the holder and an eighth of a *qirsh* to the brander (*al-kāwī*).

31. The Carpentry Market (*al-Minjārāh*) 297

The master (*al-usṭā*) (carpenter) receives a quarter *qirsh* and the master-carpenter next (to him) an eighth of a *qirsh* and five²⁶⁸ *buqshahs*, and the workman (*shāqī*) an eighth of a *qirsh*.

(Supplementary)

- a. Honesty and lack of deception are stipulatory on the Shaykh. It is his duty to set a price for work (*al-a'māl*) and to evaluate the (raw) material (*al-mawnah*)²⁶⁹ for the importer (*jallāb*) also. They (the Shaykh and others ?) shall receive the fee previously mentioned.
b. They are required to provide the fleece-lined coats for the watch they customarily do, namely three and a half *qirsh* plus collection charge of half a *qirsh* on that.

32. Lock and Key Smiths (*Ṣunnā' al-Maghāliq*²⁷⁰ wa-'l-Dawāyir)²⁷¹ 297

- i. They are obliged to contract not to make a key (*dāyir*) on the pattern of an impressed²⁷² piece (of wax or clay). Those of the Jews (Dhimmiyyin) who work in brass (*naḥās*), the yellow smelting (*al-ṣabb al-aṣḡar*),²⁷³ are likewise obliged not to cast (*ṣabb*) a key²⁷⁴ for anyone. This is because cast keys (*al-dawāyir al-ṣabb*) have been found.
ii. All carpenters, persons engaged in lock-making (*ishtighāl al-maghāliq*) and blacksmiths are also obliged not to transgress, through manufacturing a key with no lock (to it), to a situation wherein 'detriment' (*maḍarrah*) to the Muslims lies. Nor may they tacitly avoid taking any transgressor in such direction as this to judgement.²⁷⁵
iii. The manufacture (of keys) is confined to those exercising this craft (*ḥirfah*); the rest of the carpenters are prohibited from engaging in it, in order that the responsibility may remain with those exercising this craft in the event of any contravening of the regulation (*qā'idah*).
iv. We²⁷⁶ have assigned responsibility to the Shaykh of the whole (body)²⁷⁷ of the Carpenters, the master Yaḥyā al-Baraṭī,²⁷⁸ and he took the firm oath (*al-'ahd al-mughallaḡ*).²⁷⁹

267 By *dawābb*, male and female donkeys are intended.

268 Reading *khamis* for the *khamis* of the text which, as it stands, would make the wage of the *usṭā*'s mate considerably more than that of the *usṭā* himself. They would, if the text is corrected, receive then twenty and fifteen *buqshahs* respectively.

269 *Al-mawnah* is explained as *al-māddah*, the material.

270 *Maghlaḡah*, pl., *maghāliq*, lock. *Masājīd Ṣan'ā'*, 139, states that the famous Bayt Ghuthaym locksmiths manufacture in Ṣan'ā', Ṣa'dah, and Dhamār. Cf. my 'Metal padlocks and Keys from Southern Arabia', *Man*, London, March, 1959, 49, and Brian Doe and R. B. Serjeant, 'A fortified tower house in Wādī Jirdān/Wāhidi Sultanate', *Arabian Studies*, I, 5.

271 *Dāyir*, pl., *dawāyir*, a key. Cf. *Nashr al-'arf*, I, 262, the *dawā'ir*, keys of Kawkabān fort.

272 *Tābiq*, the imprint of a key on clay, or wax impression of it.

273 Cf. *al-ṣabb al-abyaḡ* of silver, supra, section 3, iii.

274 Keys must be made by forging, and not cast, since, if cast duplicates are made they can be used for nefarious purposes such as opening another person's locks. Al-Anisī, *Tarjī' al-ayār*, 224, 350, speaks of opening a lock without a key (*ṣaḡḡ al-aḡḡāl*) and indicates how this could be done. 'You stuffed a piece of cotton into the head of the lock (*ḡashayta 'l-'uḡbiyyah fī rās al-aḡḡāl*).'

275 Presumably this would take place before a Shaykh such as al-Baraṭī mentioned below.

276 This section is not marked *Supplementary*, so one might conclude that 'We' is Aḥmad al-Khazindār of the earlier document of the 18th century, but should there be, by any chance, an omission and this part of the *Qānūn* in fact be part of the *Supplementary* matter then 'We' can hardly be other than the Qāḍī Muḥammad al-Ḥaymī who, as well as compiling Document B, was the governor of Ṣan'ā'. This is the only place in the *Qānūn* where the first person is used.

277 The loose wording employed here, *li-jamī' shaykh al-naḡjārīn*, stands, apparently, for *li-shaykh jamī'*... which latter is translated here.

278 The *nisbah* is to Jabal Baraṭ, five days north east of Ṣan'ā', belonging to the

- v. Keys cast in moulds (*al-dawāyir al-kāḡḡāt*)²⁸⁰ are prohibited.

- vi. This statute (*qānūn*) relating to the manufacture of locks and keys was promulgated following upon the imprisonment of all the carpenters and locksmiths on account of certain incidents (*mutta-fiḡāt*) in the way of (illicit) opening of shops (*ḡawānīt*) which occurred, and this enactment (*marṣūm*)²⁸¹ was assented to.

33. Gun-stock Makers (*al-Majariyyīn*)²⁸² 297

(Supplementary)

- a. Prices for gunstocks (*al-majāri*) are in accordance with what the circumstance dictates in the way of a good quality or poor gunstock. (Prices) run from half a *qirsh* to five *qirsh*, and the (gunstock) will be evaluated by an experienced man of integrity (*al-'adl al-mukhtabir*) of those who ply this craft.
b. They are required to provide the customary stipend (*al-jirāyah*) for the watch to the tune of a *qirsh* less a quarter plus collection charge of an eighth on that.

34. The Brass Market (*Sūq al-Naḥās*)²⁸³ 298

(Supplementary)

- a. It is the duty of the Shaykh responsible to pay special attention to the polishing (*jalā*) and to be acquainted with what (wage) the brass-worker (*al-naḡḡās*) is entitled to for an individual piece of brass-ware (*al-shakhṣ*)²⁸⁴ *al-naḡḡās*, and (he is responsible) also for (attention to) dealings (*al-iṣḡāl*).
b. They are required to perform the watch duties they customarily do and to provide the fleece-lined coats for the watch to the tune of a *qirsh* and a half plus an eighth of a *qirsh* collection charge on that.

35. The Sandal and Shoemakers' Market (*Sūq al-Minqālah*²⁸⁵ wa-'l-Iskāfiyyah) 298

(Supplementary)

- a. Honesty (*amānah*) and lack of deception are stipulatory upon the Shaykh and he (must) undertake to regard the stranger and the lad of the Market with an impartial eye only.
b. The soundest (*ablaḡh*) workmanship where sandals and boots (*al-ni'ālat wa-'l-bashāmiq*)²⁸⁶ are concerned is that which contains no *kabs* (i.e. the insertion in the sole of a layer²⁸⁷ of small pieces of leather between two layers each of a single piece of leather).
c. Sandals of four layers of *ḡaylam*²⁸⁸ leather and Ṣa'dah²⁸⁹ leather of the best workmanship are priced at half a *qirsh*, as also are boots (*bashāmiq*) without any *kabs* (layer of small pieces of leather), following which (is a poorer quality) priced at a quarter and an eighth (i.e. 3/8ths) of a *qirsh*. The sandal of (strong) *rikā* leather

Dhū Muḥammad and Dhū Ḥusayn tribes, a good description of which appears in Zabārah, *A'immat al-Yaman*, (2), I, 24.

279 *'Aḡida/uhida al-'ahd al-mughallaḡ*—Qāḍī Ismā'il found the verb difficult in this context and proposed *akhadha* be read, and the translation has assumed the emendation, though its is possible that in Ṣan'ā' colloquial this might be a correct usage. The *Taj al-'arūs* defines an *'ahd ḡhaliḡ* as *mu'akkad mushaddad*.

280 *Kāḡāt* is explained as smelted in the crucible (*al-maṣbūbah ṣabb fī 'l-bawṭaqah*), but so far I have not found this word in any other source.

281 *Marṣūm* is explained as *qānūn*. Cf. the description of the document (pp. 180a) as *mithāl marṣūm* and *qānūn marṣūm*, terms apparently synonymous.

282 Manufacturers of the stock (*khashab al-banādiq*)—for the Arabic *majrā*, *tafashki* is also used. It was said to be a Turkish word but does not figure in Redhouse's dictionary. The vocalisation of *majariyyin* is not quite certain.

283 *Naḡās* in the Yemen means brass.

284 *Shakhṣ* (pl. *ashkhāṣ*) is said to mean a vessel (*inā'*) of brass. Cf. in my *Portuguese*, op. cit., 196, *shakhṣ*, a gold coin, and, 152, *maskkhaṣ*.

285 *Minqālah*, (cf. *miḡḡadah*) is the place where the *munaqqil*, pl., *manāqilah*, shoe-maker plies his craft. Cf. Rossi, *L'Arabo parlato*, 145. *Al-Amthāl al-Yamāniyyah*, I, 39, no. 108, cites *Aḡḡā min munaqqil*, More bare-footed than a shoe-maker. A similar proverb is *A'rā min mikhayyīf*, Barer than a tailor.

286 Sing., *bashmaq*, a boot, from Turkish *bashmaq*, shoe, slipper. Cf. E. Brauer, *Ethnologie*, 87, *Halbschuh* worn by the Jews, of which there were Yemeni and Hindi types; Rossi, op. cit., 157. *Al-Amthāl al-Yamāniyyah*, I, 298 seq., nos. 866-7, where *bashmaq* is also a woman's shoe, and *bashmaq khisa*, also called *masd* is a special shoe used when the rains fill the street with mud (*khisa*). Qāḍī Ismā'il also reports a verb, *tabashmaq*, to wear, put on, a boot. Cf. Goitein, *Jemenica*, 40, no. 206, *passim*. See Niebuhr, Description, II, 56, for an illustration of shoes worn by Yemenis.

287 Cf. classical Arabic *kabasa*, to stuff, pad. The layers (*ḡibāq*) of leather are called *ḡashū*.

288 *ḡaylam* in Persian is a leathern carpet used for a table-cloth (Steingass).

289 Ṣa'dah leather has been famous from early Islamic times.

(costs) a quarter and half an eighth (i.e. 5/16ths) of a *qirsh*—the best workmanship, after which is (a poorer quality) priced at a quarter *qirsh*, and after that (a still poorer quality) priced at eight *buqshahs*. (Strong hard) *'araṣ* leather (of) the best workmanship costs an eighth of a *qirsh*, after which is (a poorer quality) costing eight *buqshahs*, and after that (a still poorer quality) costing six *buqshahs*. Boots (*bashāmiq*) of medium quality (cost) a quarter and an eighth (i.e. 3/8ths of a *qirsh*), and (a poorer quality) after that a quarter *qirsh*. *Faqālāt*²⁹⁰ (a type of shoe) with a layer of *faylam*-leather and *baḥathāt*²⁹¹ (sandals with thick heels ?) are an eighth of a *qirsh* for the best sandals (*ni'āl*),²⁹² following which (is a poorer quality) for eight *buqshahs*. *Rikā*-leather is six *buqshahs*, following which (is a poorer quality) for five *buqshahs*. In all of these (afore-going), where (the upper and lower) limits of the expensiveness or cheapness of the goods are concerned, (recourse is had to) the evaluation of the experienced man of integrity (*al-'adl al-mukhtabir*).

d. They are required to carry out the watch duties they customarily do when the town needs, and they are required to provide the customary fleece-lined coats for the watch to the tune of six and a half *qirsh* per annum plus collection charge of half a *qirsh* on that.

36. Builders' Wages (*Ujrat al-'Ammār*) 298

i. The master-builder (*al-ustā*²⁹³ *al-kabir*) in chief (receives) a quarter of a *qirsh* and two and a half *buqshahs*, to which is added the hire of the gear (*kirā al-'iddah*), altogether two and a half *buqshahs*. The master-builder next to him (receives) an eighth of a *qirsh* five *buqshahs*. The wage of the mate who hands (*al-munāwil*)²⁹⁴ (stones and mud) to the master-builder is an eighth of a *qirsh* two and a half *buqshahs*. The wage of the labourer (*shāqī*) is an eighth of a *qirsh*. The price of water (used) in building is a *buqshah* and a half. The wage of the stone-mason (*al-muwaqqiṣ*)²⁹⁵ is an eighth of a *qirsh* two *buqshahs*.

ii. The workmen (*shuqāh*) in Bīr al-'Azab—the master-builder in chief (receives) an eighth of a *qirsh* two and a half *buqshahs*, and the labourer (*shāqī*) eight *buqshahs*.

iii. The workmen (*shuqāh*) of al-Rawḍah, al-Jirāf and the other harvest-time resorts (*makhārif*)²⁹⁶—the master-builder (receives)

for building and erecting vine-trellises (*shir'ah*)²⁹⁷ an eighth of a *qirsh*, and the labourer six *buqshahs*.

37. Stone and Wages (*al-Aḥjār wa-'l-Ujūr*) 299

i. The price of a large *ḥabash*²⁹⁸ stone delivered (to the building site) is three *buqshahs*. The price of the corner-stone (*ḍubr*) of *ḥabash* delivered (to the site) is four *buqshahs*.

ii. The price of cemetery stones³⁰⁰ (set round a grave)—the price of a stone an iron cubit in length is a *buqshah* and a half. The price of a large white stone delivered (to the site) is two *buqshahs*. The price of baked brick (*ājūr*) is two *qirsh ḥajar* per thousand³⁰¹ delivered (to the site), (shaped) on the known customary (*ma'rūf*) mould³⁰² for them.

iii. Mud-plasterers (*al-mallājīn*)³⁰³—the wage of the master in chief is a quarter *qirsh* two *buqshahs*, to which is added hire of gear two *buqshahs*, and the cradle (*al-isqālah*)³⁰⁴ two *buqshahs*. The wage of the next (the foreman ?) is an eighth of a *qirsh* five *buqshahs*. The wage of a labourer (*shāqī*) is an eighth of a *qirsh*. The price of water, if it be a single labourer with a water-skin (*qirbah*) is two and a half *buqshahs*. The mix (*al-khulṭ/khalṭ*)³⁰⁵ (of straw, dung etcetera)—the price of an ass-load or a large woollen sack (*ghirārah*) is five *buqshahs*, and the price of an ass-load of earth (*turāb*) one *buqshah*.

iv. The Jewish³⁰⁶ mud-plasterers and workers in gypsum-plaster (*al-mallājīn al-Dhimmiyyin wa-'l-majāṣiṣah*)³⁰⁷—the wage of a master (*ustā*) of them is an eighth of a *qirsh* five *buqshahs*, to which is added hire of gear. The labourer's (*shāqī*) wage is eight *buqshahs*. The price of water is as previously noted.

v. Plasterers (*al-majāṣiṣah*)—the skilled master-(plasterer) (receives) a *qirsh* two and a half *buqshahs*, to which is added hire of gear, two *buqshahs*, and hire of cradle, two *buqshahs*. The labourer (receives) an eighth of a *qirsh*. The price of water for the first working (*'amal al-bid'*)³⁰⁸ (of the plaster) is one *buqshah*, to be paid by the master-(plasterer). The wage of the master for a washing over (a new coating) (*al-ghasīl*)³⁰⁹ of the plaster (*juṣṣ*) is a quarter *qirsh*, the labourer receives an eighth of a *qirsh*, and the price of the water is two *buqshahs*.

vi. 'Concreters' (*al-Maqāḍidah*)³¹⁰—the wage of the master is a

290 *Faqālāt* is said to be a kind of shoes (*aḥdhiyah*) but I have found no reference to it elsewhere. *Rikā* and *'araṣ* are described as strong leathers and *'araṣ* is said not to be pliable (*nā'im*). Qāḍi Ismā'il said certain kinds of shoe have disappeared such as the *jawkh* (see f.n. 237) with no strap (*shirāk*)—it was covered with leather and had a lining of red *jawkh*.

291 Sing. *baḥthah*, which is described as a little raised (*rafi'ah*) piece under the sole (*akhmas*) of the shoe.

292 Reading *ni'āl* for *yūqāl* of the text.

293 *Ustā* is derived from *ustādh*. Today (1972) the *ustā kabir* receives fifty *riyāl*s per diem and works seven days a week. Qāḍi Ismā'il in his collection of proverbs has, from 'Utmah, the saying, *Kull-an fī mahrat-ih sultān*, or *Kull-an 'alā mahratū sāṭi ḥakīm*, Everyone in his profession is a sultan/wise *ustā*. *Sāṭi* means *ustā*. Goitein, *Jemenica*, 21, no. 106, 99, no. 686, *al-'Iddah thulthayn al-ustā* (*al-ustāwīyyah*), Good craftsmanship is two thirds of the master-craftsman(ship). Cf. *ibid*, 21, no. 106.

294 The *munāwil* hands him the stones (*ḥijār*) and puddled clay (*khulab*). See Doe and Serjeant, op. cit., II, plate iii.

295 Explained as *alladhī yushadhdhij al-hijār*. See p. 468a.

296 *Makhārif*, sing., *makhraf*, according to Lane, the place of abode of people during the *kharif*, and in *Masājid Ṣan'ā'*, 73, the grape harvest. *Nashr al-'arf*, I, 17, gives a list of some of those around *Ṣan'ā'*, al-Rawḍah (Rawḍat Ḥātim), al-Jirāf, Dhahabān, Thuqbān, Dahr, Qaryat al-Qābil, Dila', 'Asur (variously pronounced), Haddah, Ṣanā', Bayt Sibṭān, Bayt Baws, Ḥamil, Sa'wān, Ṣarif, al-Malikah, al-Furs (lit. Persians, said to be descendants of the Persian Abnā'), Ghufṛān, al-Sharyah, Rijām, al-Sirr, and others.

297 *Shir'ah* is the making of squares (*tak'ibat al-'inab*) for the vines, and the raising of vines on wooden poles (*a'wād*) (al-Sayāghī), but Qāḍi Ismā'il simply called it *'arish al-'inab*. In the Bani Bahlūl district in 1966 I saw quarries for the stone pillars (*qurḍā'i/qirdā'*, pl., *qarāḍi'*) used for the uprights of the vine-trellises. These are long slender stones, white to greenish in colour, this type of stone being called *zarqah* there. The stone seems naturally to break up into these shapes appropriate for the same purpose. The wooden poles in Bahlūlī country were called *ḥablah* (pl., *-āt*).

298 *Ḥabash* is a well known black stone.

299 *Ḍubr*, Gloss. *dat.*, 2165, *angle*, *coin*. Today (1972) such a corner stone a little over a *dhirā'* long would cost about four to five *riyāl*s. The cost of working *ḥabash* is double (*muḍā'af*) that of working in white stones, because the black stone is so hard.

300 This does not, it seems, mean the two upright stones on graves of men.

301 Today (1972) a thousand bricks would cost about 200 *riyāl*s.

302 He means the mould (*qālib*) of standard size. Bricks measured in *Ṣan'ā'* in 1972 were approximately 6" × 6" × 2", but Zabid bricks are much smaller and of a different shape. *Masājid Ṣan'ā'*, 53, speaks of Day'at al-Mahāriq, where they burn *ṭub* and *yājūr* (burnt brick), east of the road from Bāb al-Yaman to Haddah—a manufacture already well established by 1073/1622 since it is mentioned in the *Ṭabaq al-ḥalwā*, fol. 48 b. (A *mihrāq* (of which *maḥāriq* would be the plural) is a furnace, as in Rossi, op. cit., 159). The *ḥakīm* of *Ṣan'ā'*, al-Saḥlūlī was buried next to his brother in the cemetery (*turbah*) which holds them, at Bāb al-Yaman and Day'at al-Mahāriq, next to their mosque. Cf. *Ghāyat al-amānī*, 599, which mentions, in 870/1465, al-Mahāriq near *Ṣan'ā'*, probably this same place. Cf. C. Rathjens & H. von Wissmann, *Landeskundliche Ergebnisse*, III, pl. 108, no. 204.

303 The *mallāj*, explained as *muṭayyīn* by al-Sayāghī, plasters the inside or outside of the house with mud mixed with chopped straw.

304 An *isqālah*, a cradle for workmen engaged on decorating the outside wall of a house, is a non-Arabic word. Cf. Doe and Serjeant, op. cit., II, 290. See also plate 81.

305 In addition to straw (*ṭibn*) the *khulṭ* contains cattle-dung (*dhibl ḥaqq al-mawāshī*) called *tikhah* in *Ṣan'ā'* and *ṭubnah* in Dhamār.

306 The Jews used to mud-plaster and make the plaster decoration on the houses (*yumallījū wa-yuṭarrizū 'l-buyūt*); they also made the coloured glass windows.

307 Sing., *mujaṣṣiṣ*, worker in *juṣṣ/quṣṣ*, plaster. *Quṣṣ* is 'cold' (*bārid*), and *nūrah* is 'hot' (*ḥarr*). They seem to be treated differently and are probably different substances. *Masājid Ṣan'ā'*, 51, says that the site of Masjid al-Kharraz was a *midqāqah*, a place for breaking stones etc., where *juṣṣ* was pounded.

308 The first plastering of the house after it has been built. Al-Sayāghī says *bid'* (with *'ayn*) is for *bid'* (with *hamzah*).

309 *Ghasīl* is a second coating after a year or two with some *quṣṣ*—a wash to renew the plaster when it has become dirty.

310 *Maqāḍidah*, sing., *muqāḍid*, maker of *qaḍāḍ*, a sort of concrete composed of small stones mixed with *nūrah* (*al-jir*) and beaten till it becomes hard. Al-Sayāghī thinks it derives from *quḍāḍ* and *qaḍḍah*, small pebbles. It was used before cement was known, especially for pools/tanks (*barik*) and water-channels (*majāri 'l-mā'*). I think this is what was used on the famous Tanks of Aden. Cf. *Ṭabaq al-ḥalwā*, fol. 112 a, *muqāḍḍadah*. Al-Sayāghī renders *qaḍāḍ* as *ṣarij*—one says *ṣarraj al-ḥawḍ*, he cemented the cistern (with a mixture of *nūrah* and other materials). Cf. *Jemenica*, 121, no. 874, with further technical terms.

qirsh, and the price of the ass-load of stones (*hashāsh*)³¹¹ complete is four *buqshahs*. The price of the load of small sharp stones (*al-mayāzīr*)³¹² is a *buqshah* and a half. The price of the *qadah*³¹³—measure of lime (*nūrah*) is an eighth of a *qirsh*.

38. (Various) 300

- i. The barber (*al-hallāq*)³¹⁴—he receives one *buqshah* per head.
- ii. The cupper (*al-hajjām*)—he receives half a *buqshah* for each blood-letting (*maḥjam*).
- iii. The Bath (*al-Ḥammām*)³¹⁵—the wage of the bathman (*al-ḥammāmī*) is one *buqshah* per person. Cleaning with the bag and massage (*kīs wa-takbīs*)³¹⁶ cost one *buqshah*.
- iv. (Cotton)-Carding (*al-nidāfah*)—the wage of the carders (*al-naddāfīn*)³¹⁷ is one *buqshah* on the pound of cotton (*ʿuṭb*). For sewing (cotton) into quilts (*luḥuf*) and bedding (*furush*) (the worker) receives a wage plus (the cost of) the thread (*ghazl*). For (filling ?) pillows (*wasāʾid*) (he receives) the quarter of it (the wage) that he receives for quilts and bedding per *raṭl*.

39. The Dhimmīyyīn (Jews), the people of 'Aqīl³¹⁸ 300

(Supplementary)

- a. They are subject to what has been previously mentioned.³¹⁹
- b. They are required to provide such of the fleece-lined coats for watch which they customarily do, to the tune of forty-four *qirsh* reckoned out, plus collection charge on that two and a half and a quarter *qirsh*, the total sum required of them being forty-six and a half and a quarter *qirsh*.³²⁰

40. The Hindu Community (Jamāʿat al-Bāniyān) 300

- a. They are subject to what has previously³²¹ been mentioned, (Supplementary) each one of them in the market of his goods.
- b. They are required to provide the fleece-lined such of coats for the watch they customarily do, the amount of which is fifty-six and a half *qirsh* plus collection charge of three and a half *qirsh* on

that, the total sum amounting to sixty *qirsh*.

41. Pottery³²² and Clay Bread-Ovens (*al-Madar wa-l-Tanāwīr*)³²³ Etcetera 301

(Supplementary)

- a. The responsibility lies with the Shaykh for fixing the price of pottery (*madar*) coming to the town. He is obliged to undertake to regard the vendor and the purchaser of the lads of the Market with the eye of impartiality.
- b. They are required to provide the watch that they are accustomed to do when the town needs, and they are required to provide the fleece-lined coats of the watch to the tune of half and an eighth and a quarter (i.e. 7/8ths) of a *qirsh* plus collection charge of an eighth *qirsh* on that, the total amounting to a *qirsh*.

42. Pottery from (Wādī) al-Sirr³²⁴ (*al-Madar al-Sirrī*) 301

- i. This is higher in quality than the manufacture of al-Ḥushaysh-*īyyah*³²⁵ and that of al-Qāʿ.³²⁶
- ii. The price for it in its place (of manufacture) by the Dhimmī (Jewish) makers is six and a half 'lots' (*'addah*)³²⁷ for a *qirsh* coin (*qirsh ḥajar*). The 'lot', according to the regulation (*al-qānūn al-ma'rūf*) customary among the pottery-sellers (*al-maddārīn*)³²⁸ and the Dhimmīs of al-Sirr, is that, when it consists of cooking-pots (*buram*) of the kind that hold the half of an eighth³²⁹ of the *qadah*-measure of grain (*ṭa'ām*),³³⁰ then the 'lot' comprises eight cooking-pots. Whereas (the 'lot'), when it consists of coffee-pots (*al-jamin*), amounts to sixteen coffee-pots (*jamanah*) holding a large *raṭl*³³¹ and a quarter of ghee.
- iii. In Ṣan'ā' the price of this pottery of al-Sirr from the importers who bring it to the retailers (*al-kassārīn*) in Ṣan'ā', is five 'lots' for a *qirsh* coin (*qirsh ḥajar*).
- iv. The change (*ṣarf*) for the *qirsh* in these (present) times is five hundred *ḥarf*. The 'lot' is fixed (*ṣahḥat*) at five *buqshahs*³³² (read *ḥarf*) (per piece), and the profit on it to the retailer, the man of the

311 *Hashāsh*, rendered as *ḥasabah*, small stones. Rossi, op. cit., 171, writes *hashāsh*, as does *Jemenica*, 121, no. 870. Al-Rāzī, *Tārīkh*, 97, *qaḍāq*, and f.n. *hashāsh*.

312 *Mayāzīr*, sing., *mīzār*, a new word, small sharp stones placed behind facing stones to keep the latter in position and straight.

313 Al-Sayāghī describes the *qadah* as equivalent to two *ṣafīḥahs* of paraffin (*ghāz*), but see f.n. 141.

314 The *Hallāq*, *hajjām* and *ḥammāmī* are all of the *muzayyin* class and of low social status—though of course not necessarily poor. *Masājid Ṣan'ā'*, 129, mentions Bayt 'Aṣḍah, some of whom are, to this day, merchants, but some are *ḥallāqīn*, an ignoble craft. In 1972-3 the *ḥallāq* was paid two *riyāl*s for a haircut.

315 For the *ḥammāns* see pp. 501-24.

316 This is the soaping with the bag (*al-taṣbīn bi-l-kīs*), a little glove of the same kind of wool as used in making the *'abā*, used for cleaning off the body-dirt. The soap is applied with it—a similar article shown us was a *līḥah* palm fibre tuft. Imām Aḥmad had a special man to apply massage (*takbīs*) to him. Massage is done especially before going to sleep at night.

317 The *naddāf* is the man who cleans the cotton used for bedding (*furush*) with an implement called a *mindafah*. These cotton carders used mostly to be Jews—hence perhaps their inclusion with the group of mean occupations. Cf. W. Leslau, 'Texts on Yemenite folklore', *Proc. Amer. Acad. Jew. Res.*, Philadelphia, 1944, XIV, 227, Mori Ḥayyim Naddāf, the last apparently a family name. Nowadays even tribesmen will do this work.

318 I. e. of the Hārat Masīd 'Aqīl (*Masājid Ṣan'ā'*, 83), the quarter in old Ṣan'ā' where the Jews used to carry on their business though living in Bīr al-'Azab.

319 Al-Sayāghī considers this is a reference to the regulations for the *mallājīn* in Section 37.

320 Note the way in which 3/4 is expressed, as in the *Mulakkhkhaṣ al-fiṭan* etc.

321 See the account of the Bāniyāns, pp. 432-435, and Section 7.

322 Rossi, op. cit., 153, records certain types of pottery.

323 The *tannūr* is a baked clay barrel open at the top, and with a hole on one side in the bottom. A fire is lit in the bottom which heats the internal sides above it. Flat rounds of bread are slapped onto the internal sides of the *tannūr* where they quickly cook.

324 This wādī belongs to the Bāni Ḥushaysh. Pottery is made today (1972), at al-Ṣurāb village of pot-clay from caves and friable stone pounded up with a long club. Eight hundred Jews are said to have lived in this village at one time. Types of pottery manufactured there include the *mubarrad* and *madall*.

325 A village about two miles from Ṣan'ā' (al-Sayāghī).

326 'Addah was explained by Qādī Ismā'īl as a collection (*majmū'*) which is counted with the hand (*yū'add bi-l-yad*). *Bāmiyā* (ladies' fingers) is sold by the 'addah of five in each two hands—eggs and bananas are sold in the same way, and one asks for so many 'addahs of these commodities. Carrots etc. are, however, sold by the *ma'ṣab* or bundle.

328 A *maddār* is a man who sells *fakhkhār*, not a potter, and the *maddār* of *Masājid Ṣan'ā'*, 60, who built a *maḥsinah li-l-shurb* in the Sūq al-Madar can but have derived his means to do so not from the humble potter's craft, but by selling pots!

329 The eighth (*thumna*) is a measure (equivalent to 8 *anḥar*), so, clumsy as it is to express 1/16 of a *qadah* in this way, I have made a literal translation.

330 *Ṭa'ām* is usually millet.

331 The large *raṭl* is a *raṭl wa-rub'*, but at the time of the Turkish innovations this becomes only the medium *raṭl*. Cf. f.n. 100.

332 In both places in this paragraph *ḥarf* must be read for the text's *buqshah*. The arithmetic is a little complicated, but the correction is important as it resolves a difficulty over the coinage.

At this period we know the *qirsh* consisted of 80 *buqshahs*, and the *buqshah* consisted of 6 *ḥarf*—this makes the *qirsh* equivalent to 480 *ḥarf*. The text here however says that the change for the *qirsh* is 500 *ḥarf*. When fluctuation in the rate of the *ḥarf* to the *qirsh* is allowed for (cf. my *Portuguese*, 152-3), it is reasonable to state that the *qirsh* is equivalent to 500 *ḥarf* in round figures. As the *ḥarf* was worth something like half a farthing at that time the difference between 480 and 500 *ḥarf* was something like a penny half-penny.

This paragraph can only refer to coffee-pots.

A 'lot' purchased whole-sale costs about 12 *buqshahs*.

When each *buqshah* is worth 6 1/2 *ḥarf*, then 12 *buqshahs* are worth 78 *ḥarf*.

A single coffee-pot in a 'lot' of 16 then costs 78/16ths which is just under 5 *ḥarf*.

When each *buqshah* is worth 6 1/4 *ḥarf*, then 12 *buqshahs* are worth 75 *ḥarf*.

A single coffee-pot in a 'lot' of 16 then costs 75/16ths, which is also a little short of 5 *ḥarf*.

Coffee-pots retail at 7 1/2 *ḥarf*, making an apparent profit of about 2 1/2 *ḥarf* per pot.

This arithmetic is confirmed by the price of cooking-pots given in the next paragraph.

The 'lot' of *burmahs* is 8 pieces as opposed to 16 in the case of coffee-pots, and therefore they retail at twice the price at 14 1/2 *ḥarf*.

It is interesting to remark that the rate of dirhams to the *ūqiyyah* in Najrān at the time of the Prophet was forty, and robes sent to him as tribute were worth an *ūqiyyah* of silver (Al-Balādhurī, *Futūḥ al-buldān*, ed. de Goeje, Leiden, 1866, 64). Until the recent decimalisation of the Yemeni *riyāl* it was worth 40 *buqshahs*—while the *qirsh/riyāl/ūqiyyah* was still a silver coin, i.e. up to 1962, it was, during the Ḥamīd al-Dīn period, worth 40 *buqshahs* = dirhams of the early 7th century A.D.

Pottery Market, is two and a half *buqshahs*³³² (read *ḥarf*).

v. The price of the cooking-pot (*burmah*) which holds half of the eighth³³⁹ of a *qadah*-measure is fourteen and a half *ḥarf*.

vi. The price of the coffee-pot (*jamanah*) holding a *raṭl* and a quarter of ghee, (measured) by the 'large' *raṭl*—equivalent to a small *raṭl*³³³ and a half—stands at seven and a half *ḥarf*, expressible³³⁴ as a *buqshah* and a quarter, (when sold) to the man of Ṣan'ā'.³³⁵

43. Pottery of Qā' al-Yahūd 301

i. The large jar (*jarrah*) which has a capacity of fifteen *raṭls* of ghee (measured) by the 'large' *raṭl* (is sold) to the retailer at three *buqshahs* less a quarter, expressible as seventeen *ḥarf* in this change (*ṣarf*).³³⁶ His profit is two and a half *ḥarf*, expressible as a third of a *buqshah*.

ii. The large jar of this capacity (is sold) to the man of Ṣan'ā' at twenty *ḥarf*, expressible as three and a quarter *buqshahs*.

iii. Anything smaller than this jar of such capacity (as has been mentioned) fetches a lower price proportionate to its lower capacity.

iv. The price of a bowl (*jafnah*) holding half of an eighth of a *qadah*-measure is sold to the man of Ṣan'ā' Market at three and a half *ḥarf*, i.e. half a *buqshah* and a little more.

44. Pottery (*Madar*) of al-Kharibah³³⁷ 302

i. With the potters (*ahl al-madar*) the 'lot' is what comes to two kneading bowls (*ma'ājīn*),³³⁸ in a single one of which the half of an eighth and the quarter of an eighth³³⁹ of a *qadah*-measure of flour (*daqīq*) can be kneaded—or it would hold a measure ('*ibrah*)³⁴⁰ of grain (*ṭa'am*) (consisting of) an eighth and a half of an eighth of a *qadah*-measure—or else *qaṣriyyahs*³⁴¹ of similar capacity.

ii. The 'lot' (is sold) to the man of Ṣan'ā'³⁴² at twenty-five *ḥarf*, expressible as four *buqshahs*, and the retailer (*al-kassār*) gets a profit of a rupee (*rubbiyyah*),³⁴³ two and a half *ḥarf*. The 'lot' is sold to the man of Ṣan'ā' for thirty *ḥarf* less³⁴⁴ a rupee, expressible as four and one third *buqshahs*.³⁴⁵

iii. Small (pieces of pottery) are (priced) proportionately to this, and anything bigger follows this rule (*qānūn*) also.

45. Ḥushayshiyyah Pottery 302

Pitchers (*abāriq*), coffee-pots (*jamīn*) and jars (*ku'ad*)—the price of the *kawrajah*,³⁴⁶ i.e. four jars or four coffee-pots or four pitchers—the price of them (sold) to the retailer by (?) the people³⁴⁷ of the Pottery Market is two *buqshahs*, expressible as twelve *ḥarf*. They are sold to the man of Ṣan'ā' at two and a quarter *buqshahs*, expressible as fourteen *ḥarf*. The price at which each single pot (is sold) to the man of Ṣan'ā' is three and a half *ḥarf*, expressible as half a *buqshah*. The capacity of a single (pot) is two *raṭls* of ghee (measured) by the 'large' *raṭl*. The large jar with a capacity of fifteen 'large' *raṭls* (costs) three and a quarter *buqshahs*, expressible

333 See f.n. 100.

334 Perhaps, in the context, the word rendered 'expressible' is intended to convey the sense of 'approximately'.

335 The man of Ṣan'ā' may either be a retailer buying from a middleman or possibly the ordinary customer, but I am inclined to think it will be the former.

336 A single *buqshah* in this case is equivalent to 6 2/11ths *ḥarf*.

337 Al-Kharibah is a village in Wādī Sa'wān east of Ṣan'ā'.

338 *Ma'ājīn*, sing., *ma'janah*, cf. Rossi, op. cit., 153. *Latt*, *yilitt*, to knead, which gives rise to the proverb quoted to me by Qāḍī Ismā'il, *Zall yilitt wa-yi'jin*, He kept on going over the subject.

Cf. *al-Amthāl al-Yamāniyyah*, I, 203, no. 1006.

339 This is the measure known as *thumn* as in f.n. 100.

340 Explained as *mikyāl*, but cf. *Gloss. dat.*, 2261, where it can have the special sense of the measure at the top of a powder-horn.

341 Pl., *qaṣārā*, cf. Rossi, op. cit., 153. It has the shape ☉.

342 See f.n. 335.

343 The rupee is introduced for the first time in the *Qānūn*, in that part of it which belongs to the first half of the 12th/18th century, but it was obviously current considerably earlier in the Yemen since *Ṭabaq al-ḥalwā*, fol. 121 a, informs us that about Rabi' II, 1089/June 1678, 'the Imām commanded the Master of the Mint (*Ṣāhib Dār al-Darb*) to make his coining of red gold to the value of a *dirham* (*fī qadr al-dirham*), and to strike silver to the value of *al-rubbiyyah al-Hindiyyah*.' Both of these must have been quite small coins. There would be 200 rupees to the *qirsh*. See p. 307b.

344 Reading *ya'jaz* for the text's *bi-'ajz*, as in section 28 b.

345 The *buqshah* here would be equivalent to a fraction under 6 4/10ths *ḥarf*.

346 *Kawrajah* though usually meaning a score, can be applied to other numbers, but this would be indicated in such documents as the *Qānūn* where it occurs.

as twenty *ḥarf*. Anything smaller is proportionate to that.

(Supplementary) 302

a. Pottery ovens (*al-tanānir*)—the pottery oven³⁴⁸ (suitable) for the half of an eighth of a *qadah*-measure (costs) a *buqshah* and a quarter, expressible as seven and a half *ḥarf*, i.e. three rupees, (when sold) to the man of Ṣan'ā'. The pottery oven (suitable) for an eighth of a *qadah*-measure (costs) fifteen *ḥarf*, expressible as two and a third *buqshahs*. The baker's (*al-khabbāzī*) pottery oven for the quarter of a *qadah*-measure costs twenty *ḥarf*, expressible as three and a quarter *buqshahs*. The large pottery oven of the top standard in size costs thirty *ḥarf*, expressible as four and a half and a quarter *buqshahs*.

b. When prices of pottery and ovens reach a sum which causes 'detriment'³⁴⁹ to the Muslims they will be obliged to adhere to this rule (to sell) at these prices. Anyone who exceeds these, be he potter or retailer, will be restrained³⁵⁰ and liable to reprimand.

46. Pipe-Bowls (*al-Bawārī*)³⁵¹ 302

(Supplementary)

a. Al-Sayyānī³⁵² workmanship, which is the best workmanship in earthen stone-ware³⁵³—the largest pipe-bowl with this appellation³⁵⁴ (al-Sayyānī) sold to the man of Ṣan'ā' is priced per unit at ten *ḥarf*, expressible as two *buqshahs* less a third, and costs the buyer³⁵⁵ (*al-mufāwid*) (actually) nine and a half *ḥarf*. The middling size of pipe-bowl of al-Sayyānī workmanship is sold to the man of Ṣan'ā' for five *ḥarf*, and to the man who gains his livelihood³⁵⁶ (by selling pipes) (*al-mu'tāsh*) for four and a half *ḥarf*. The cheapest (*adnā 'ayyanah*) of al-Sayyānī workmanship (in) earthen stone-ware (*ghaḍār*) is sold at two and a half *ḥarf* to the man of Ṣan'ā'. The man who gains his livelihood (through selling pipes) receives ten *ḥarf*³⁵⁷ on the score (*kawrajah*) of al-Sayyānī (pipe-bowls) as has been previously mentioned in respect of the large (pipe-bowls).

b. Sa'id Maṣṣūr al-Dhimmi (the Jew) manufactures rounded conical (*al-muka'abāt al-makrūṭāt*)³⁵⁸ (pipe bowls). (These) ornamented (*manqūshāt*) (pipes) of the largest make are sold to the man of Ṣan'ā' for five *ḥarf* each, expressible as a *buqshah* less a quarter, per unit, the middling (size), at two and a half *ḥarf*, and the cheapest kind at two for a rupee, expressible as two and a half *ḥarf*—the work of Isḥāq al-Dhimmi al-Sayyānī.

c. Red pipe-bowls—the largest make of pipe-bowl costs two and a half *ḥarf*, the middling kinds cost five *ḥarf*, and the cheapest a pair for a rupee, (i.e.) two and a half *ḥarf*.

(Supplementary) 303

a. The pipe-bowls of al-Marrānī³⁵⁹ of the tribes—the largest make, the manufacture of which involves labour and the grinding up of pot-stone (*ghaḍār*) and a lathe (? *makhraṭ*),³⁶⁰ is sold at two

347 These and the 'man of Ṣan'ā'' would appear to be the retailers.

348 *Tannūr* is treated here as if feminine in gender, but it is not really regarded as feminine, and colloquial Arabic is said not to make a very rigid distinction as to genders in such cases.

349 Cf. *maḍarrah* in Section 32, ii. This is a concept commonly found in legal works.

350 'Suspended' may be intended by the word rendered as 'restrained' but the term used in the *Supplement* here is not that usually found in other parts of the *Qānūn*.

351 Sing., *būrī*. See p. 176a.

352 Sayyānī would be the *nisbah* for Sayyān of Sanḥān near Hizyaz, south-east of Ṣan'ā', but there is a Sayyān of the Ibb district which al-Sayyāghī mentions. He says that al-Sayyānī was a Jew.

353 The rendering 'earthen stone-ware' is to suit al-Sayyāghī's description of *ghaḍār* as 'a well known soft stone ground up' of which certain white pottery vessels are made. Qāḍī Ismā'il described it as stone ground and made into *madar* (clay pottery)—it is both beautiful and strong. Ordinarily *ghaḍār* seems to mean pottery.

354 Lit., *al-mu'tānā bihi*, meant intended.

355 See f.n. 172.

356 *Mu'tāsh*, a man who sells for profit, a retailer (*kassār*).

357 Reading '*asharah*' for the text's '*asharūt*'.

358 Qāḍī Ismā'il suggest these are the pipe-bowls with lines and patterns incised on them.

359 Bayt Marrān is in Arḥab—I passed by it in 1966, the older pronunciation is said to be Mirrān. Al-Sayyāghī takes al-Marrānī to be a person.

360 *Makhraṭ* is given the sense of lathe by Dozy, *Supplément*, but I have no information as to what it means in the Yemen. It might mean a potter's wheel.

buqshahs, expressible as five rupees per single pipe-bowl, the middling size at ten *ḥarf*, and the small size at three rupees, expressible as seven and a half *ḥarf*.

This is the price of al-Marrānī.

b. The manufacture of al-Qā' (Qā' al-Yahūd)—the large size sells at a rupee, (i.e.) two and a half *ḥarf*, the middling sizes at two for a rupee, and the small ones from one (*ḥarf*).

(Supplementary) 303

47. The Pottery of al-Qābil³⁶¹ (*Madar al-Qaryah*) 303

a. Jugs of pot-stone (*kizān al-ghaḍār*), coffee pots of the manufacture of al-Laywī (Levi ?) at al-Qaryah, covered bowls (*khawāfiq*)³⁶² and lamps (*qanādīl*), are sold to the man of Ṣan'ā' at two *buqshahs* a piece, expressible as five rupees. The price of jugs without covers (*aghṭā*),³⁶³ the manufacture of al-Laywī is ten *ḥarf* (for) the best make. The score (*kawrajah*) of middling quality costs three rupees, and the poorest (*aq'af*) workmanship costs five *ḥarf*, expressible as a *buqshah* less a sixth. The large or small size of the big(ger) water-coolers (*mubarradāt*)³⁶⁴ costs the same. The price of coffee-pots of pot-stone of the best make—the coffee-pot of half a *raṭl* capacity is a *buqshah* less a sixth, expressible as five *ḥarf*; the small ones are two for five *ḥarf*. So it goes on in the same fashion and following the same rule (*qānūn*).

b. The Dhimmīyīn were obliged to hold to this price (range) when they made demands for an extensive increase—in which they were quite unjustified since there existed no reason for a rise in price (*ghalā'*).

(Supplementary)

48. Certain Commodities³⁶⁵ 304

a. Dye-bowls (*makhādīb*)³⁶⁶—(these) are sold to the Dhimmīyāt (Jewish women), a couple for three rupees, expressible as seven and a half *ḥarf*. The Dhimmīyah woman sells them to the man of Ṣan'ā' at five *ḥarf* apiece, and in accordance with the expensiveness or cheapness of galls (*'afṣ*).³⁶⁷

361 Qaryat al-Qābil is the well known village of the lower Wādī Ḍahr. There is an interesting but not very accessible fort above the village. No pottery is made there nowadays. The Lewi family at Ṣan'ā' is known to E. Brauer, *Jemenitische Juden*, 243. Cf. pp. 400b, 425a.

At Shibām Kawkabān pottery is made by hand, as at al-Rawah, with a wheel. First the clay (*al-majbā*) is taken in a round pat and draped over a pot shape called *al-manja*—the latter was set in the ground, and there are various sizes and shapes of them. The clay was kneaded over the pot-shape and formed with wooden bats of various sizes called *al-mashafah*. The pot was then left to dry and shaped with a round stone. The *manja* itself is made of stone. If a coffee-pot is wanted then a long neck is shaped separately with a *riqāb haqq al-jimān*, i.e. round poles or sticks around which the clay is rolled and fashioned to make a tube. These are decorated with red paint from a bowl, called *mishk* which is said to come from Khawīlān. This *mishk* is also used to decorate houses of adobe in the Barat region (Cf. Doe and Serjeant, 'A fortified tower-house in Wādī Jirdān', 1). It seems to be from earth or decaying rock. I did not ascertain whether the painting took place before or after firing. This is done in a kiln with dung pats (*kibī*). The potters also showed us an animal skin (*sufrah*) which is placed on the thigh above the knee, with the smooth side inwards, and the clay is kneaded on this. A woman was painting a jar and it seems that the making of clay vessels is regarded, to some extent, as women's work. The paint was applied with a rag. The various types of pot were lying out in the sun to dry, and three *jamanahs* cost 2 1/2 *riyāls* (1972).

It is probable that the pottery made at Qaryat al-Qābil was of this sort.

362 *Khāfaqiyyah*, pl., *khawāfiq*, a large or small broad flattish bowl. It is discussed by Anastase-Marie (al-Kirmilī) in his edition of *Bulūgh al-marām*, 425. It is a term known to the *Mulakhkhaṣ al-fiṭān* in the 14th-15th century A.D. and to Dozy, *Supplément*.

363 *Aghṭā*, seemingly a Yemeni colloquial plural of *ghīṭā'*.

364 So amended from the text's *al-barradāt*, but it might be amended to *barrādāt* as in Rossi, 153, *barrādah*.

365 This heading is not in al-Sayāghī's text but has been inserted for greater clarity.

366 Sing., *makhḍabah*, pottery (*fakhkhār*) bowls. *Al-Amthāl al-Yamāniyah*, I, 115, no. 317, has a proverb, *Idhā qad al-Yahūdī miḥannā idhrā*. . . When the Jew has dyed his hands and feet (*mukhaḍḍab al-aṭrāf*), then sow . . . That is: that at the feast when the Jews henna themselves then hurry up and sow, an agricultural saw. Cf. Goitein, *Jemenica*, 22, no. 113, with full account of the henna-ing process, and 118, no. 855. Zabārah, *A'immat al-Yaman*, I, 318, notes that Faṭimah, daughter of al-Mahdī Aḥmad al-Murtaḍā (end of 8th/14th century), when asked by her father about *al-khiḍāb bi-l-'usfur aw al-'afṣ*, dyeing, tinting with saffron or galls, gave him an admirable and informative reply (*jawāb muḥīd 'ajīb*)! This would be from the legal angle. The question of dyeing (the hair) is treated also in *Nashr al-'arf*, II, 399.

b. Brooms (*makānis*)—the largest and broadest³⁶⁸ make of palm broom (is sold) at one a rupee, (i.e.) two and a half *ḥarf*. The largest palm brush (*hawbah*)³⁶⁹ costs five *ḥarf*.

c. Radā' matches (*al-kibrit*)³⁷⁰ *al-Radā'*—the thick³⁷¹ sort, the top quality (*anhā shay'*), is two bundles for a rupee, expressible as two and a half *ḥarf*. The middling (qualities) are four bundles (*'uṣar*)³⁷² for two and a half *ḥarf*, and the small ones are five bundles each for a rupee, two and half *ḥarf*, equivalent to two bundles for a *ḥarf*.

d. Baskets (*khībāsh*)³⁷³—the price of baskets of reed (*ḥindīd*)—the largest of these is the kind, a score of which³⁷⁴ sells at a French *qirsh* (*qirsh Franṣī*)³⁷⁵ and a quarter, and is used for (carrying) meat (*jazr*)³⁷⁶ *al-baqarī*. The price of one of them to the man of Ṣan'ā' comes to five *buqshahs*, expressible as thirty *ḥarf* and a rupee. (There is another kind) the price of a score of which is a *qirsh* coin (*qirsh ḥajar*), a single one being sold at four and a third *buqshahs*, expressible as twenty-seven and a half *ḥarf*. (There is a further kind) the price of a score of which is a *qirsh* less a quarter, a single one being sold at four *buqshahs* less a third, expressible as twenty-two *ḥarf*. (There is yet another kind) the price of a score of which is a *qirsh* coin (*qirsh ḥajar*), one of these selling at two and a quarter *buqshahs*. Anything smaller follows this rule (*qānūn*).

e. Basket trays (*aṭbāq*)—where basket trays are concerned, since a rule (*qānūn*) for them is impossible, it is the responsibility of the honest (*al-amīn*) Shaykh of the Market to pick out the price of a score (coming) from the importer, and to assign to the retailer five *buqshahs* on what is priced at a French *qirsh*.

f. Sieves (*manākhil*)—the flour (*al-naqiyy*)³⁷⁷ sieve—the best sieve is sold at five *buqshahs* to the man of Ṣan'ā'; the sieve for unrefined³⁷⁸ flour (*ḥathīth*) is sold to the man of Ṣan'ā' for four *buqshahs*; the barley sieve is sold to the man of Ṣan'ā' for three *buqshahs*. This is the best makes—anything inferior (is priced) according to its quality.

Little girls' hands are *mukhaḍḍabah* with patterns at the feast of 'Arafah.

367 For oak-galls cf. Yūsuf b. 'Umār . . . b. Rasūl al-Ghassānī, *al-Mu'tamad fi l-adwiyat al-mufradah*, Cairo, 1951, 333; Rossi, op. cit., 167.

368 *Afwaḍ*, elative of *fayḍ*, explained as *awsa*.

369 *Hawbah*, a large brush made of the bigger branch of the palm. I heard *muknis* for a broom at Manākhah, and in Ṣan'ā' *man'amah*.

370 *Kibrit*, sulphur, comes from Jabal al-Lisī, north of Dhamār. Ibn al-Mujāwir, op. cit., 191, mentions this mountain (but the text must be corrected from L sh ī); he avers that the ground of Dhamār is sulphurous (190) though in fact it seems that al-Lisī alone produces sulphur. There is a Turkish fort on the top of the mountain which has a star shape when viewed from the air, steam or water issuing from a hole in the middle of the fortified area. This fort was constructed in 1025/1616 by Bāshā Muḥammad and garrisoned by him with men to stop the Imām and other Yemenis who had now taken to guns (*banādiq*), most of which they had taken as booty from those who had come out to attack them such as the Mamlūk Jarākisah, from obtaining the sulphur they needed to make gunpowder. When this happened the price of gunpowder became dear till a *raṭl* was sold for a *qirsh ḥajar*. So says the author of *Ghāyat al-amānī*, 806, who simply calls this mountain Jabal al-Kibrit.

During World War II the Jews used to make matches from the sulphur of this mountain, as did also some Muslims, but before that a type of red match used to be imported to the Yemen known as *Abū Rubbiyyah*. They are made of the *ḥindīd* reeds one sometimes sees growing in running water (*al-a'wād al-mawjūdah 'ala 'l-sawāqī wa-'ind manābi' al-ghuyūl*); these are dipped in sulphur mixed with a little gunpowder. It was said they had to be put in the fire to light them! These local matches are rubbed on stone or anything rough, and some tribes used to strike them against their feet—which are of incredible hardness! An unpublished proverb of the Qāḍī's is, '*Al-kibrit al-aḥmar silāḥ al-layl*, Red matches are weapons for the night!'

371 *Jāsir* means *ghaliṣ*, coarse.

372 *'uṣrah*, pl., *'uṣar*, syn., *ribṭah*, is a bundle—here, of *ḥindīd* sticks.

373 *Khībāsh*, sing., *khābshah*, large reed baskets, syn. *silāl*, sing., *sallah*, cf. *Al-Amthāl al-Yamāniyah*, I, 221, no. 625. Palm leaf (*khūṣ*) baskets with high sides are called *tawrah*.

374 Reading *qimatu-hu* for the texts *qimah*.

375 I.e. the Maria Theresa dollar.

376 *Jazr* simply means butcher-meat.

377 *Naqiyy* is described as *ṭāḥin lubb al-burr*, flour of the heart of the wheat, but it is also husked wheat. Ibn Rustah, *al-A'lāq al-naḥṣah*, 11, says of Ṣan'ānis *ṭa'amu-hum al-burr al-naqiyy wa-'l-'alas*, their grain is wheat and 'alas wheat, i.e. about 903 A.D.

378 *Ḥathīth*, flour (*daqīq*), whole (*kāmīl*) with the husk (*qishr*). My notes for November 7th record that *burr* is exposed in the sun about this time to help remove the husk. Cf. classical *huthth*, bread without condiment.

49. Additional to the Afore-going are the Responsibilities³⁷⁹ (*al-ḍamānāt al-lāzimah*) Obligatory to its (*Ṣan'ā'*) Citizens

- i. The Shaykh of the Police (*Shaykh al-Shurṭah*) is responsible (*ḍāmin*) for anything stolen at night by breaking and entering (*al-kasr*³⁸⁰ *wa-l-fals*) and the clearly evident traces of climbing over a wall. This is in accordance with Imāmī regulations (*qawā'id*) and the principles of Islamic Law (*aḥkām al-sharī'ah*).
- ii. The Bath proprietor (*al-ḥammāmī*)³⁸¹ is responsible for what goes missing in the dressing-room (*makhla'*) of the Bath when it is proved to have gone missing there. Whatever goes missing within the Bath, such as Bath bowls³⁸² and women's jewellery taken by them to the Bath, the only responsibility the woman Bath attendant (*al-ḥammāmiyyah*)³⁸³ has, on being informed of this, is to search³⁸⁴ the women at the Bath and examine (*iftiqād*) their effects. If she does not examine the women's effects or does so perfunctorily then she is responsible (*ḍāminah*) (for the missing article).
- iii. If women are permitted by the woman Bath attendant to uncover³⁸⁵ their private parts—as mentioned previously the woman Bath attendant and the Bath proprietor are liable to reprimand, punishment (*adab*) and imprisonment.
- iv. The coffee-inn proprietor (*al-muqahwi*) is responsible for what is proven to have gone missing in the coffee-inn (*miḥḥayyah*) in the way of riding-animals (*dābbah*) or other effects belonging to the travellers.
- v. The tire-woman (*al-shāri'ah*)³⁸⁶ (i.e.) the woman who attends to the maquillage of brides (*al-muzayyinah li-l-'arāyis*)³⁸⁷ is responsible for whatsoever she has hired on behalf of the brides, and she will recover from the person on whose behalf she has made the hiring. Nobody is accepted for this profession (*ḥirfah*)

379 The responsibilities, or it may be translated, liabilities, of the professions that follow have not included those of certain artisan groups, doubtless because these are already well known. For example the first Zaydī Imām in the Yemen, al-Hādī, was asked, according to *K. al-Muntakhab*, 416, 'The weaver (*ḥā'ik*), silversmith (*ṣā'igh*), washerman (*ghassāl*), and craftsmen—have they liability/responsibility for what they damage or what goes missing from them? "Yes," he said, "they are liable (*ḍāmin*)."

380 *Kasr* is entry by breaking a lock, door, etc., while *fals* is entry by making a hole in a wall etc.

381 The *ḥammāmī* is more fully dealt with on p.522b. He belongs to the *muzayyin* class as stated in n.314. Cf. Rossi, op. cit., 142. the 'hot bath' can fairly certainly be stated to have been in existence in the Yemen as early as the end of the 3rd/9th century since the first Zaydī Imām al-Hādī ila 'l-Haqq is credited with the following pronouncement, 'I asked him (al-Hādī) about the bathman (*ṣāhib al-ḥammām*), "Is he responsible (*ḍāmin*) for any clothes that go missing in his bath?" He answered, "Yes,"' (A. K. Kazi, *Critical edition of the K. al-Muntakhab fi 'l-fiqh*, S O A S thesis, 415). The *ḥammām* itself is milk *al-awqāf*, waqf property, or milk *al-dawlah*, state property, and the bathman rents the bath from one or the other for a known sum (*bi-shay' ma'lūm*).

382 *Tasāt al-ḥammām* are brass bowls used as a scoop (*maghrāf*). Some women bring their own bowls with them.

383 The *ḥammāmiyyah* would naturally also be a *muzayyinah*. Rossi, loc. cit., says that she takes part at marriages, dressing the bride, and serves at funerary ceremonies.

384 *Fittāsh*, syn. *taftish*, is searching of the personal effects, not the body.

385 Uṭrūsh, the celebrated Ṭabaristān Imām of the end of the 3rd/9th century says that women are not to enter the bath at all, except for an indisposition (*illā min 'illah*), and that the *ḥammāmī* must enforce decency—cf. my 'Zaidī manual of *ḥisbah*...', 27. Al-Rāzī, *Tārīkh madīnat Ṣan'ā'*, 352, says a man must not enter the *ḥammām* without an *izār* waistwrapper, and his spouse (*ḥafilah*) should not enter it at all. Cf. *al-Baḥr al-zakḥkhār*, IV, 375, on 'awrah, nakedness.

386 For the *shāri'ah* see Goitein, *Jemenica*, 17, no. 83, *Brautputzerin*, and the verb *shawra'a* meaning *labbas*. She is like the tire-woman (*māshīḥah*), called in Ḥaḍramawt *al-kawbarah*. The *shāri'ah* hires clothes, silver and gold ornaments, etc., going from house to house. In the older days no fee was given the owner for the loan of silver ornaments to deck out the bride at weddings, but now quite an amount is paid for hire of them. Some people keep such ornaments especially so as to hire them out on these occasions. I have seen in Shāfi'ī law books cases in which an opinion is sought as to the responsibility of two parties when some silver ornament loaned for an occasion has been lost. This is an ancient practice in Arabia, and the Jews of Khaybar had a camel skin of ornaments which were borrowed for a month at a time for a wedding as is recounted by al-Wāqidī, *K. al-Maghāzī*, edit. Marsden Jones, London, 1966, II, 271, the contents of which are given in detail (273). Al-Sayāghī calls the *shāri'ah* the woman who decks out (*tazīn*) and dresses the bride with the ornaments this woman hires—she accompanies

except (a woman) known for her honesty, lack of deception, and reliability (*al-makanah*).³⁸⁸ Nor is she accepted unless she be (a person) drawn from those who follow this profession. She is obliged to undertake not to hire on behalf of a woman (whose circumstances), or the matter of her status³⁸⁹ and ability to pay the cost (*gharāmah*) of anything she has to meet through its going missing, are not known to her, since that is neglect (*tafrīt*)³⁹⁰ (on her part).

vi. Building labourers (*shuqāt al-'imārah*) are responsible for the gear ('iddah) of the master-builder which they use in working, as, for example, (the labourer) sieving (*al-nukhūl*) (gravel out of earth) is responsible for the adze (*mafras*) and sieve. The water-skin carrier is responsible for the water-skin (*qirbah*) and if he has to puddle the (building)-clay (*khulab*) he is responsible for the shovel (*maqḥif*).³⁹¹ The builder's mate (*munāwīl*)³⁹² is responsible for the pick (*fās*), the plumb-line (*mizān*),³⁹³ the cord (*khayṭ*) (for aligning walls), and all things the master-builder requires in building.

vii. The rest of the labourers in other crafts such as plasterers (*maḥāṣīḥah*) and 'concreters' (*maqāḍiqah*), are similarly (responsible). viii. Loads of goods (*ḥamāyī*)³⁹⁴ *al-biqā'ah*—when once a load arriving at (Sūq) al-Ḥalaqah has been recorded (*thabuta*) in the register (*bayān*) of the Clerk of al-Ḥalaqah, the Headman of the Porters ('Āqil al-Ḥammālīn) to whom a covering note (*taṣḍūr*)³⁹⁵ has been delivered is responsible for it. The Clerk must write this down (in his register) in his presence. (The responsibility of the Headman of the Porters continues) until such time as it is checked³⁹⁶ by the store-keeper (*al-samsārī*) and the responsibility is transferred to him.

ix. The animal-hire broker (*al-muqaddam*)³⁹⁷ is responsible for (providing) whatever he has received an advance fee (*quḍāmah*)³⁹⁸ for (obtaining), or getting camels hired out for transport.

the bride to the groom's ('aris) house. She was also described as *al-waṣīfah*. A Dhamār saying in the Qāḍī's unpublished proverbs, runs, *Lā qad ta'ashshat al-shāri'ah ismīrayn yā nīsā*, If the *shāri'ah* has supped, then, women, make merry! I.e., the *shāri'ah*, being the life and soul of parties ('amūd al-hafalāt), must be seen to first, before the festivities can begin. Cf. Goitein, loc. cit.

387 'Arāyis, sing., 'arūs.

388 She is able to return them (*mutamakkinah min al-radd*).

389 *Najābah*—it has been suggested that *najāyah* in the sense of *salāmah*, soundness, be read here.

390 *Tafrīt*, explained as *taḍyī'*. Cf. Dozy, *Supplément, negliget*, 'en faisant trop peu.'

391 *Maḥḥif*, Rossi, 154, *maqḥaf*, zappa, a spade, syn., *mīrafah*.

392 See f.n. 294.

393 *Mizān*, the plumb-line weighted by a piece of iron.

394 *Ḥamūlah*, pl., *ḥamāyil*, a load.

395 A *taṣḍūr* in the Yemen is a *risālah*, message, with a list of items despatched to you, carried by the bearer of them to you. Dr. A. A. Maktari has provided me with the following note on Yemenis, temporary immigrants to Aden during the days of the British Protectorate. R. B. Serjeant, 'Notes on some aspects of Arab business practices in Aden', *al-Bahit: Festschrift Joseph Henniger*, St. Augustin bei Bonn, 1976, 307-15. In the olden days communication between the family of the immigrant back in the villages of the Yemen and the shopkeeper in Aden, called *al-tabal* who acted as a sort of post-box, was through the *gammāl*. The latter was a camel-owner who always travelled at least once a month between Aden and a certain district in the Yemen. Now they no longer travel on camels but they are still known as *gammāls*. They come to Aden and collect all the *taṣḍūr* (sing., *taṣḍūr* = *taṣḍūr* of Ṣan'ā'), and they bring back with them on their return to Aden all the *ta'arīf* (sing., *ta'arīf*), i.e. acknowledgements of delivery of what has been sent. Hence one often hears Adenis, to poke fun at the Yemenis, using such phrases as 'Ṣadar lak ṣadar maḡramah wa-maṣar, To you we sent a supply of one shawl and a scarf.' Al-Jarmūzī quotes a message, 'Fa-'l-ṣādir ilā ḥaḍratikum. . . min al-khayṭ al-kirām, And the noble horses despatched to you.' The usage is old. S. D. Goitein, *Studies in Islamic history and institutions*, Leiden, 1957, cites 'Wa-ṣadara fi 'l-Kārim'.

396 Explained as *yūqarrar wuṣūlu-hā ilā samsarat al-tijārah*, the arrival of which at the warehouse has been confirmed.

397 The *muqaddam* also called *maqdamī*, is the intermediary between the hirer and the man hired (*al-wāṣīḥah bayn al-musta'jir wa-l-'ajir*), but he does not own the animals hired. I was told of a *maqdamī qurāsh* of the Bayt al-Khaṭṭāf family today, and this family also deals in the hire of vehicles. *Masājīd Ṣan'ā'*, 31, speaks of a *maqdamī al-jimāl* called al-Zubaydī, who built a *maḥsinah li-l-shurb* east of the Ṣan'ā' Jāmi' Mosque, i.e. a *sabil* for drinking water. From this it is evident that hiring can be a profitable business! Cf. al-Kirmīlī, edit., *Bulūḡ al-marām*, 438. For interesting laws on the hiring of animals see *al-Baḥr al-zakḥkhār*, IV, 39, seq.

The litter (*shuḡḍuf*) has to be specified and what coverings are to be used, *maḥāmīl* or *kanābīsh*, etc.

398 *Quḍāmah* the fee for providing, horses, donkeys, or camels for the traveller.

50. The Obligations of the Shaykhs of the Markets and the Chief Shaykh (Mashāyikh al-Aswāq wa-Shaykh al-Mashāyikh) 306

- i. The Shaykhs and Clerks of the Markets must submit (*raf'*) the price of every article of merchandise (sold) by the importer and by the retailer, to the Governor (al-ʿĀmil) so that he can consider how to meet his obligations.
- ii. The Chief Shaykh must pass along to each market to inspect the measurer (*kayyāl*) (of grain etc.) at his measuring (*kayl*). If there be no unfairness (*ḥayf*)³⁹⁹—then all is well.⁴⁰⁰ If (on the other hand) he sees evidence of something into which deceit (is entering), suspicion most frequently falling on this happening in measuring our raisins,—then this may happen.⁴⁰¹
- iii. The measure (*kayl*) may be two kinds,⁴⁰² one for the market man the retailer, and one for the citizen of the town. He must inspect the measure the retailer uses for the customer and if it is equivalent to the measurer's (*kayyāl*) measure—then all is well. Otherwise it is imperative that he raise the matter of the person of whose deception (*khiyānah*) he has evidence to the Governor for him to suspend and reprimand him.
- iv. Similarly the Chief Shaykh must keep a close check on the weighmen (*al-wazzāzīn*)⁴⁰³ of ghee and oil. The Virtuous Ancestors (*al-Salaf al-Ṣāliḥ*) have established a goodly practice (*sunnah ḥasanah*)—namely that the retailer of oil, after measuring out the oil (left in) the funnel (*maṣabb*)⁴⁰⁴ into the customer's container, will add a little to make up for what sticks to the funnel.

Indeed, if he finds the seller scrupulous (*mutaḥarri*)⁴⁰⁵ in such matters—(good and well)! Otherwise he will raise his case to the Governor for him to make (both) of him and the Shaykh of his Market an example which the others will take as a rebuke.

v. It is his duty to keep an eye on⁴⁰⁶ the people of the Plaster Market (Sūq al-Juṣṣ) so as to inspect them measuring,⁴⁰⁷ as also on the rest of the markets, and any person of whom the slightest evidence of deception comes to his notice he will summon him along with his Shaykh before the Governor.

vi. It is the duty of the Deputy⁴⁰⁸ of the Meat Market (Nāyib al-Majzarah), at a time when the price of sheep-and-goats drops or falls, to carry out a test, by taking certain of the sheep-and-goats the butchers have already purchased for themselves at a price they have agreed—without their (the butchers') knowing. (An animal) will be slaughtered and weighed (*yugra*)⁴⁰⁹ on the Scales, and if he discovers that the price of this beast slaughtered has dropped, so that the butcher's wage has risen proportionately above the amount earlier prescribed, the case will be submitted to the Governor to look into fixing the price justly. The reverse case will be similarly treated.

vii. In these matters lies a public benefit (*maṣlaḥah ʿammah*).

viii. If the Shaykhs of the Market do not fulfil the duties prescribed for them, and the Chief Shaykh likewise (does not perform his duty) of frequent visitation to them (the Shaykhs of the Markets) it is the Governor's bounden duty to relieve them of office because they have not been refraining from the reprehensible things they did.

399 *Ḥayf* is explained as *inḥirāf aw mayl*, inclination, partiality to buyer or seller. Cf. Muh. Hamidullāh, *al-Waṭṭāʾiq al-siyāsiyyah*, 3rd ed., Beirut, 1969, 346, for this word in ʿUmar's letter of instruction to the *qāḍī*. The customary law on hiring animals might be fairly extensive. The *Fatāwā* of Bā Makhramah, fol., 180 a-b, a Ḥaḍramī author, affords a glimpse of the type of case that might present itself. The question is posed that if a hired camel carrying grain is struck by another camel and dies, who is responsible for compensation?

400 *Fa-dhāka*—an uncompleted condition, common enough style in south Arabian documents. Qāḍī Ismāʿīl explained it would be understood to be completed by such as—*al-maḥlūb*, i.e., that is what is desired.

401 Another uncompleted condition.

402 The mere existence of two different measures such as described is in itself a sort of fraud.

403 Cf. *Masājid Ṣan'ā'*, 125, for a certain al-Ḥājj ʿAlī al-Wazzān of the 14th century H., also a constructor of a *maḥsinah/sabīl*. Such functions are probably hereditary—*Nashr al-ʿarf*, I, 568, speaks of a family in Shibām Kawkabān whose work was *jibāyah* and *wizānah*, collecting tax and weighing.

404 The *maṣabb*, funnel, also called *al-multaqā*, described as *qum'*, pl., *qimā'*, for decanting liquid into another vessel. The *baṭṭah*, made of *ilyat al-da'n*, sheep's tail, is usually used to hold mustard-oil (*ṣalīṭ al-tartar (al-khardal)*); Qāḍī Ismāʿīl refers to Nashwān b. Saʿīd who calls it a *wi'ā' min julūd yuttakhadh fi-hi 'l-duhn*, a leather container for holding oil.

A *masabb* is a *jirāb* or leather bag, also called *qur'ah*.

405 *Mutaḥarri*, explained as scrupulous in his dealings (*daqīq fī mu'āmalāti-hi*), i.e. in pouring out a little extra. Cf. *Qur'ān*, LXXII, 14, 'Those who have aimed (*taharraw*) at a right course.'

406 *Yata'āhad*, to visit frequently, pay attention to.

407 Qāḍī Ismāʿīl's unpublished collection contains the dictum, *Al-ibrah 'ind al-makīl*, explained as the testing (*i'tibār*) to see if the quantity has been properly reckoned. This seems to mean that a thing must be done at the proper time or the opportunity is lost. Perhaps here inspection of the measure itself is meant.

408 Presumably the Deputy of the Shaykh of the Meat Market is meant.

409 *Yuqra'* means *yūzan* (al-Sayāghī), lit. to strike.